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BRITISH POLICE AND THE DEMOCRATIC IDEAL

By the same author

THE POLICE IDEA
POLICE PRINCIPLES AND THE
PROBLEM OF WAR



SIR CHARLES ROWAN, K.C.B.

*(From a study in oils prepared by Salter for THE WATERLOO BANQUET.
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British Police and the Democratic Ideal

by

CHARLES REITH

“Liberty depends upon the preservation of order.”

H. A. L. Fisher.

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Illustrations

Sir Charles Rowan, K.C.B. (1783-1852), Commissioner of the Metropolitan Police, 1829-50 ; from a study-portrait prepared by Salter for his picture ' The Waterloo Banquet '

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frontispiece

Sir Richard Mayne, K.C.B. (1796-1868), Commissioner of the Metropolitan Police, 1829-68 ; from a photograph at Scotland Yard *facing page 100*

John Wray, Esq. (1782-1869), Receiver for the Metropolitan Police District, 1829-60 ; from a photograph at Scotland Yard 202

Preface

THE details of the early history of the Metropolitan Police which have been recorded in this volume have been found in original copy-letter books at Scotland Yard ; in newspaper files in the British Museum ; and in Home Office records at the Public Record Office, Numbers, H.O. 58, 59, 60, 61, and 65. In order to avoid a multiplicity of references and cross-references, the dates of the various documents which are quoted are included in the text.

I am glad to have this opportunity of expressing my very warm appreciation of the consistent courtesy and kindness which have been shown to me at Scotland Yard, and the facilities which have been afforded to me on many occasions by Mr. H. M. Howgrave-Graham, C.B.E., Mr. C. R. D. Pulling, Mr. S. W. Richards, O.P.E., Mr. G. R. Peel, and Mr. J. L. Jenkins in connection with the records and the library. I am particularly grateful to Sir John F. Moylan, C.B., C.B.E., the Receiver for the Metropolitan Police District, for his keen and inspiring interest in my work. All this assistance has been entirely confined to historical research.

CHARLES REITH

London, March, 1943

PART ONE

INTRODUCTION TO THE POLICE

CHAPTER I

The Police Basis of Public Order and National Unity in Britain

THE smooth and orderly collection of Income Tax in Britain is one of the wonders of the world. It has aroused envy in all other countries, and the wrath of Democracy's enemies. Cynical observers say, of the Englishman's willing response to taxation, that he is acutely conscious of the alternative being the inevitable arrival of a policeman on his doorstep. It is true that individual resistance to taxation will lead, quickly and inevitably, to the appearance of a policeman, and to the setting in motion, against the individual, of the smooth-functioning and overwhelming machinery by which the most wonderful police institution in the world unobtrusively enforces the observance of court orders. It is true, also, that individual resistance to taxation is so helpless against the forces which it will automatically bring into opposition that it is a futile waste of time for normal Englishmen to contemplate it. It may be said, with reason, that they have ceased to do so. Their awareness of the consequences of resistance has become subconscious. It has been replaced in their active minds by a more fully-conscious appreciation of the value of community orderliness on which payment of taxes depends. They see, on every side, clear proof that a high standard of public orderliness is the basis of the strength and well-being of the community, and that on these depend the prosperity and happiness of each individual member of it. They may not be aware or fully conscious of the detailed process of this reasoning, but it is a fact that the British mind is more alive to the value of individual contribution to public orderliness than that of any other race on earth. This is the true explanation of the strange phenomena of queues of citizens waiting to pay their Income Tax before the dates on which it is legally due, and of a Chancellor of the Exchequer stating lightly, but without encountering challenge or contradiction, that Englishmen enjoy the task of responding to his demands.

Willing response to taxation is one of the most striking features of the community orderliness for which the people of Britain are justly famous throughout the world. Their understanding and appreciation of the value of orderliness and their readiness to con-

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public without regard to their wealth or social standing ; by ready exercise of courtesy and friendly good-humour ; and by ready offering of individual sacrifice in protecting and preserving life.

6. *To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order ; and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.*

7. *To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police ; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen, in the interests of community welfare and existence.*

8. *To recognize always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.*

9. *To recognize always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.*

British Police Principles may be defined, briefly, as the process of transmuting crude physical force, which must necessarily be provided in all human communities for securing observance of laws, into the force of public insistence on law observance; and of activating this force by inducing, unobtrusively, public recognition and appreciation of the personal and communal benefits of the maintenance of public order.

It is too readily assumed that the sudden appearance and growth of public orderliness in Britain during the second half of the nineteenth century were wholly the product of the progress of moral and political education, and the subsequent and consequent awakening of the national conscience of the community, which inspired the wave of social and other reforms in the nineteenth century. All these influences contributed to the creation of public orderliness, but the civilizing effects of education, religion, and social reforms were not less in evidence in Continental countries and in the United States, where they failed, signally, to produce standards of public orderliness and respect for law comparable with those of the people of Britain. No estimate of the growth and effect of moral education in Britain is complete without consideration of the influence of police principles and of the standards of stern and unbiased justness and fair-mindedness, readiness to protect the weak and helpless, unselfish friendliness, good-humour and individual heroism set by the police for a century in the slums and overcrowded areas of the towns, among people who only recently have been taught to read and write. It is no disparagement of the incalculable civilizing influence of the preaching of John Wesley to say that crime and disorder, with the possible

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exception of crimes of violence, increased steadily in England for a hundred years after the commencement of his mission in the seven-teen-thirties. The innumerable measures of social and educational reform which were enacted in the nineteenth century were inspired partly by the awakening of the social conscience of the community and, largely, by the fact that the existence of the New Police provided the necessary machinery which could make reforms effective. It is difficult to point to one of them which did not depend for its practical initiation and success on police ability to enforce and regulate it. The most startling and alarming of all the reverberations which disturbed the slumbers of the national conscience in the nineteenth century were the detailed revelations by the police of the destitution, misery, vice, and uncontrolled exploitation of weakness and innocence which they were finding in the towns.

The principles of the police institution of Great Britain are so interesting and remarkable in conception, individually, that it is difficult to describe any of them as being more beneficial than others in their effect on the welfare of the community. Each of them has a record of discovery, application, and evolution which enhances its individual interest as an essential factor in the creation of public orderliness. It is assumed throughout the world that the British police are 'wonderful' because they maintain their unique and envied efficiency unarmed, but the fact that they are unarmed is only a minor, but very natural, consequence of their strict fulfilment of their principles. Much more wonderful than their lack of arms is the fact that the immense power and high efficiency of the British police depend wholly on their ability to secure and maintain, from day to day, public approval of their actions and behaviour. The history of the police shows clearly that loss of public approval would, almost automatically, make them helpless and unable to function, unless a new, different and intolerable form of power was given to them by their being made dependent on the armed forces of a despotic government. History proves, also, that a police force which is dependent on public approval for its ability to function, and to create and maintain public order, is the only alternative to government by military tyranny and dictated law. Authority in England created the police at a time when an attempted reversion to government by military force seemed to have become the only way of escape for the nation from anarchy. The nation would again be confronted, instantaneously, by the need of making choice between these two evils, if the police institution were destroyed by the withdrawal of public approval of it, as the consequence of the abandonment of their principles by the police, or of persistent failure by the public to understand, appreciate and preserve their values.

From the date of its first establishment, the modern police force

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was planned as an instrument of law which was to be almost wholly independent of government, departmental, or party policy. This was, at first, a theoretical principle, the success of which created, later, its more exact definition in practice. Every detail of the duties, actions, and authority of the police is now defined for them by law. They are the force behind the law which is essential to it, because, without force, law by itself cannot secure observance of its rulings or respect for its existence as an institution. The need of some kind of force to secure and to compel observance of laws is an outstanding feature of the record of every human community known in history. The form of force most commonly employed has been the crude physical force of absolutism and terrorism, the strength and brutality of which are seen to have become, inevitably, the seeds of its eventual failure, and of the failure, also, of all communities which have suffered from it, in spite of the frequent success of despotically-administered force in achieving temporary order. On the other hand, the history of communities which have sought to follow the democratic ideal of government provides a similar record of failures, which are seen to be due, not to excess of force employed for compelling law observance, but to failure to provide and exercise force ; to fear of using it ; or to unscientific and unprincipled use of it on occasions when it has seemed to be the alternative to anarchy. In the peoples' blind absorption in the function of making laws ; in their blind faith in the self-sufficiency of law ; in their failure to understand the essential need of providing force for securing observance of laws ; and in their failure to understand the need of making provision for the harmonious functioning of law and force in adjustment lies the explanation of the tragic story of the inefficiencies and insufficiencies of Democracy, since Grecian times. They explain, also, with striking clarity, the failure of so many modern democracies to cure themselves of the disease of public disorder, to resist the allure of dictatorships of one kind or another, and to make sustained effort to oppose them. By her success in evolving a police Force which is wholly the instrument of Law, and not of policy, and is dependent for its power on its ability to secure and maintain public respect, good-will and approval, and to use these in place of physical force for securing observance of laws, Britain has solved the fundamental problem of the existence of all democracies, which is the finding of means, not only of securing effective observance of democratically-made laws, but of uniting the people in willingness of purpose and sacrifice for the maintenance of order, and the consequent preservation of community union and strength. In their police system and its principles the people of Britain can see, if they choose to do so, the vision of the true democratic ideal of individual liberty.

CHAPTER II

The Police and the Public

ONE of the most striking features of the behaviour of the British police is their success in preventing their dependence on public approval from interfering with the efficiency of their service to Law, and thus overcoming what might appear, in theory, to be a fundamental weakness of their organization. They never forget their dependence on public approval, and they secure it, not by pandering to the local or temporary demands of a section of the public at any particular moment, but by strict impartiality in their behaviour, and by providing a consistent service of unbiased support of laws, and resistance to their breach, regardless of the nature or justness of the laws. The consistent aloofness of the police from political bias, and their sustained indifference to any other aspect of a law than its need of being observed are frequently the cause of temporary embarrassment and unpopularity, but they are the real foundation of the immense confidence with which the public regards the police, and on which their value and their strength depend.

The conception that the police should be organized solely as an executive branch of the administration of law and that they should be relieved of all judicial functions was, at first, a theory, which, after a few years' trial in practice, became fully developed as a principle. This involved, consequently, the relieving of the judicial branch of all power of executive control. The extent of the jealousy thus engendered in London among magistrates and parish officials who had formerly enjoyed the control of a rudimentary and extremely inefficient form of executive was apparently unforeseen. It proved to be one of the most formidable of the obstacles with which the police were confronted on their establishment, and it provides an astonishing record of mean and unscrupulous intrigue, which was employed for the purpose of frustrating their success and their value as an institution. In practice, the achievement of a gradual but complete separation of the judicial and executive branches of the law originated and firmly established another group of police principles which are now clearly defined. The police do not, and cannot, interfere with or usurp the functions of the judicial authority. They do not, and must not, authoritatively judge guilt, punish the guilty or avenge the injured or the State. The police are empowered by law to act in certain ways in the event of their believing, or assuming, certain laws to have been broken, and they are empowered to find and to produce before the courts, not only evidence in support

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The success of the police in controlling mob disorder is due, primarily, to the principles on which are based the science of police tactics for the control of disorderly crowds, and, also, to the simple fact that they have always had on their side the support of the approval of public opinion, even when this has been opposed to them in particular local areas where the exercise of physical force has been required of them. Without the support of the bulk of public opinion in the community, they would be helpless. Riots which had the approval of a majority of the people would soon be found to be, not riots, but a revolution. This would involve a public demand for certain changes, and any attempt by a minority of the population to maintain an existing system of authority in such circumstances would be bound to fail without the use of the crude physical force of military action. If this were employed with success, it is certain that the British Police Institution and all its values would disappear in a night, and in its place would be found, presently, a police force which would be dependent for its power, not on public approval, but on the armed forces of a dictatorship authority of one kind or another. This police force would be independent of the need of public approval. It would serve policy, and be no longer the instrument of popular, community-made law. It would be a new British equivalent of the police Forces of most Continental countries and, like them, it would be hated, feared and ridiculed by the people. The outstanding difference between the police of Britain and those of many other countries is not the fact that the British police are unarmed, but that their principles, methods and constitution make it impossible for them to oppose the will of the people, and to enforce laws in the face of sustained public refusal to observe them. It is in this dependence on the will of the majority of the people, and on the respect, approval, and affection with which the public regard them, that is to be found the explanation of the paradox that the unarmed police of Great Britain are the most powerful and efficient in the world, and that they have less power, as police, than is allowed to those of any other country in the world.

The British police are unarmed only because they find they can achieve their ends without the need of arms. They no longer carry handcuffs, because they find the use of these is rarely necessary when making an arrest. They regard even the baton with misgiving.¹ Perhaps the fundamental difference between them and the police of other countries lies in the fact that the British police acquire power by making the public like them, while others rely too readily on making the public fear them.

¹ On drawing his equipment in the early days of the war a Special Constable asked, smilingly, what he was supposed to do with his baton. 'You put it out of sight,' was the emphatic reply. 'You don't let anybody know that you've got it. *And you forget you've got it!*'

CHAPTER III

The Police and Parliament

THERE are many people in Britain who believe that credit for the merits of the creation, existence, functions and principles of the police should be given to Parliament, of which the police institution is assumed to be only a product or derivative. A close study of the history of the relationship between police and Parliament reveals a series of remarkable and extremely interesting facts of which historians and the public are not clearly aware. It is true that Parliament created the police by enacting, in 1829, the 'Bill for Improving the Police of the Metropolis.' In view of the fact that the entire nation and the vast majority of its representatives opposed the creation of police for nearly a century, with consistency of purpose which, in 1829, was characteristically formidable and determined, this action by Parliament represents one of the most outstanding instances in its history of gross betrayal of its duties and of the nation's trust. Cynical critics of the parliamentary system in Britain can find few better examples of the futility and weakness of which they accuse it. Peel's action in securing smooth passage of his Bill by a masterly display of party tactics and political manoeuvring was justifiable in circumstances which made the new Police Force a dire necessity of the times. The people had been misled for a century by propaganda which emanated originally from City and other gangsters who had good reasons to fear and to oppose the establishment of police, but the fact remains that the story of Parliament's submission to Peel, in this instance, and its defiance of the clearly-expressed and fully-realized will of the people is, unquestionably, one of the most disgraceful in its modern annals.

The subsequent success of the Police Force was due almost wholly to the tact, patience and other good qualities of individuals who were outside Parliament, and it was achieved, almost miraculously, in spite of sustained public hostility, suspicion, and dislike of the police, and bigoted lack of understanding of their merits, principles, functions and value to the nation, which were exhibited for some years by Parliament and Cabinet Ministers. As a consequence of the success of the police, it can now be seen that Parliament has provided, by creating them, a formidable and efficient check on its power of opposing the will of the people. To-day, it is a necessity of any measure enacted by Parliament that the police should be able to enforce it. They are dependent on public approval, and they cannot enforce unpopular laws without loss of public respect. Their effi-

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ency may enable them to enforce, temporarily, laws which have been enacted in opposition to the will of the people, but their power of doing so and their efficiency will be of very short duration if they lose the goodwill and respect of the public, which are their strength. Parliament has frequently passed laws in modern times which have been approved only by a minority of the people, but it has never done so to an extent which has had the effect of seriously impairing the efficiency of the police or public respect for them. It is an extremely interesting historical fact that the enactment by Parliament of the Police Bill of 1829 was the last occasion on which it deliberately flouted what was, almost, the unanimous will of the people. This has been the consequence, not of the reform of Parliament, but of the successful establishment of a police institution on which the actions of Parliament have become increasingly dependent with the passage of time. The dependence of Parliament on the police will continue, to the lasting benefit of the nation, for as long as the people understand the principles on which the police establishment functions and is founded, and insist on their maintenance.

The success of the police has revealed clearly to Parliament and to the nation the fact that laws are worth little more than the parchment on which they are inscribed unless there is some form of force behind them by which their observance can be effectively secured. The whole body of the law and all its institutions including courts and Parliament would be helpless without the police, and these, in their turn, would be helpless without public approval of their actions and existence. One of the first consequences of the successful establishment of the police was the saving of the machinery of the representative system and the authority and dignity of central and local government by their smooth conduct of elections of every kind. No more formidable menace threatens the internal structure of a community than the existence of unenforced and unenforceable laws. In one form or another, they must give birth to gangsterdom and all its destructive manifestations, and these, unchecked and uncontrolled, will quickly destroy the community which dares to nourish them. Unchecked gangsterdom created the twin evils of uncontrollable crime and mob disorder in the eighteenth century, and enhanced and spread them, and it was the efforts of gangsterdom alone, and the success of its propaganda, which frustrated for nearly a century every attempt to end the menace of crime and disorder by creating police. Not until they saw what the police were able to effect in defeating gangsterdom did the people of Britain and their Parliament learn the lessons of law's need of force, their need of the police, and the absurdity of the price which had so long been paid for the false ideal of the liberty of being without them.

It is a fact that Parliament created the modern police institution

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in its outward form, and it is true, also, that the existing political organization of Britain makes police and Parliament complementary to one another in their ability to facilitate each other's functions. Both are products and derivatives of what is best in British national character and genius, but the claim that the police institution is the child of Parliament is denied by history. The principles of the police institution and even the details and nomenclature of its organization are in many respects the product of direct evolution from sources far older, historically, than the beginnings of the parliamentary system. The police institution is the child, not of Parliament, but of the people.

CHAPTER IV

Historic Origins of the Police

A STUDY of the origins and evolution of police principles shows that the basic conception that the police are the people and that the people are the police is directly traceable to the dawn of European history, and to the customs of some of the Aryan tribes of the Continent whom their leaders made responsible for securing the observance of tribal laws. These customs were the origin of the Frankpledge System of the Saxon kingdoms of England, under which people who had no property which could be seized in punishment of breach of law were divided into groups of ten families, and made responsible for the preservation of local order. For each group, a representative was appointed who was called a tithing-man, and his function was to ensure the keeping of the peace and observance of the laws by all the members of his group. Under him, the group was held responsible for the good behaviour of every member of it. The punishments inflicted for breach of law were often crude and barbarous, but the Saxon Frankpledge System of securing law-observance which was based on division of responsibility and mutually understood co-operation between authority and the people is one of the most efficient organizations of its kind which can be found in history's pages. Its merits are revealed by the chroniclers of the times who claimed that it was possible for a traveller to hang jewellery on a bush by the roadside on setting out on a journey, and to find it still there on his return. The Normans were so impressed by the merits and value of the System that they tried to maintain it, but it failed as the consequence of their attempts to adapt it to feudal ideas. In one form or another, the principle of making the people responsible for securing law-observance through the medium of a group representative remained in being. As the result of Norman influence the name, constable, came into use. After the fall of Feudalism, the people's representative appeared again as the parish-constable, in the days of ecclesiastical-parish organization, but the names tithing-man, headborough and borseholder, which are all Anglo-Saxon equivalents of the name, constable, continued in use in some parts of the country until the middle of the nineteenth century.

The Justice-and-parish-constable system of making the people responsible for the organization of law-observance was the second of its kind in British history of which it can be said that it achieved effectiveness by popular co-operation, without being unduly marred

Historic Origins of the Police

in administration by resort to methods of brutality and military intimidation. It functioned well, for long periods, in rural areas. The able-bodied males of each parish were appointed singly, in turn, to serve in office as parish constable for twelve months. As representative of the people, the parish constable worked in close co-operation with the Justices of the Peace. These were the successors of the Knights of the Shire who, in earlier years, had been appointed to carry out the functions of the Sheriffs, or Shire Reeves, of Saxon times, when their Norman successors found disfavour in the eyes of later kings. It was with the Knights of the Shires that Simon de Montfort founded the House of Commons. Justices of the Peace and the stipendiary magistrates of the towns are their direct successors in modern times, and the modern constables, or policemen, with whom they co-operate, and on whom they are dependent for the success of their labours in administering the laws, are the direct successors of the tithing-men.

The story of the breakdown of the parish-constable system as the consequence of the transition of England's economic structure from an agricultural to an industrial basis is one of the most important chapters of her history. The parish-constable system originated in the fact that, after Feudalism, England was relieved from the necessity of having to maintain a large standing army, because she was an island, and because her kings, unlike those of the Continent, were not faced across land frontiers with the armed might of jealous rivals. The destruction of the Feudal System by gun-powder gave the fortunate few who made use of it dominion over large areas of land, some of which were the beginnings of the modern kingdoms and empires of the Continent. In order to maintain peace within their boundaries and to be prepared against the sudden aggression of jealous neighbours, the new kings and emperors were obliged to keep in being large standing armies. On account of the limitations of their structure and organization, armies have always been incapable of controlling crime and disorder and of keeping internal order in a community. The problem was met by the new rulers by adjustment of their armies to the needs of the situation. Troops were adapted for use by dispersal in small numbers, and they were called *gens d'armes*, or 'armed people'. They became, in time, the modern police forces of continental countries. During these years England evolved her parish-constable system, and, when this failed in the eighteenth century, she created her independent, modern police force. By the former she was saved from the tyranny of a *gendarmie*, the military tradition of which has been so consistently inimical to realization of the democratic ideal in continental countries. By the latter she was saved from the crudest form of military despotism by which, after the breakdown of the parish-constable

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system, authority blindly and foolishly sought to restore order, until the inevitable failure of the army to control crime and disorder gave birth to the most perfect system of securing law-observance which mankind has so far devised.

The effects of the breakdown of the parish-constable system became embarrassingly visible, first in London, and, later, in other heavily-populated industrial areas. It was obvious as early as the seventeenth century that a single conscript constable was incapable of maintaining order within the boundaries of any of the larger London parishes, but for many years the only solution of this problem which the authorities could offer was the appointment of night-watchmen, and the gradual increase in the numbers of constables in each parish, from one to as many as eighty. The temptation to make use of aged, infirm, and other paupers as night-watchmen soon wrecked the scheme which originated them. Interference with their trades and businesses which their duties as parish constables inflicted on parishioners led to permission being given to them to employ paid deputies to serve for them. These became professionals who were paid by a different employer for each twelve-months' term of service, with the consequence that the security of the lives and property of the citizens of London was found, in the eighteenth century, to depend solely on the existence of a rabble of rogues and vagabonds, apart from the self-help, in the form of horse-pistols, blunderbusses, armed servants and fortified houses, which individual citizens were able to provide for themselves. By the time these conditions had become so acutely intolerable as to inspire vocal demand for their remedy, the existence of unenforced and unenforcible laws had given birth, inevitably, to gangsterdom, which was powerful enough not only to threaten the existence of authority, but to dare it to interfere with the vast industry of vice and crime exploitation by which the gangster leaders amassed their wealth. To acquire wealth, they exploited the helplessness of law and the absence of force which could secure its observance. To protect themselves from interference by authority and attempts to provide force for law, they exploited and perfected the political weapon of the mob, against the use of which, on account of lack of force, law was as helpless as it was in its efforts to suppress crime. So formidable was the power of the gangsters, that they were able to create and maintain, by ingenious propaganda in the Press and in Parliament, an almost unanimous belief among all classes of the community that the provision of force for law in the form of a centrally-organized police institution would involve the destruction of all individual and civic liberties. They did not mention that the liberty for which they fought so lustily was the individual liberty of each of them to exploit the weak and helpless among his neighbours.

Historic Origins of the Police

The single-minded purpose of John Wilkes and his gang in their exploitation of the ideal of liberty was preservation of the evil things of gangsterdom. The immense value to the world of certain consequences of their preaching was beyond their understanding, but much of the confusion of thought which still inhibits, in modern democracies, understanding of the meaning of liberty is the legacy of Wilkes's hypocrisy. 'I want to teach people', Peel wrote pathetically in 1829, 'that liberty does not consist in having their houses robbed by organized gangs of thieves'; and he forced a police establishment on a bemused and sullen populace. The immediate effect of his action was the creation of liberty which had been unknown for centuries; liberty of men, women, and children to move freely in the streets by day or night in peaceful pursuit of their affairs; liberty to discard arms for personal or household defence; and liberty to enjoy a new spaciousness of social contact. It brought with it the beginnings of a new public sense of neighbourliness and of community, social and other interests, and appreciation of the value of public orderliness. There followed, soon, the new phenomena of public insistence on its maintenance, and individual willingness and eagerness to make personal sacrifice on its behalf. In the eyes of an envious world, the public orderliness of the people of Britain became a new and outstanding feature of their character.

CHAPTER V

' The Preventive Principle of Police '

THE basic principle of the modern British police is that of preventing, instead of awaiting and repressing, manifestations of crime and disorder. When the first Commissioners defined police duties in 1829, their opening statement was : *The primary object of an efficient police force is the prevention of crime.* It has been the basis of the whole conception of police duties ever since. To-day, the words seem trite and superfluous. The function of the police is so obviously the prevention of crime that it seems to be absurd and unnecessary to make formal statement of the fact. A century of familiarity with police methods has led the public to forget that the idea of preventing crime and disorder was one of the most original and revolutionary which has ever been conceived in the course of British constitutional history. In the first half of the eighteenth century, the only method of dealing with crime and disorder which had occurred to anyone was to await their manifestations and then suppress them with brutal violence. Magistrates, civic and parochial officials and others who controlled such executive functions as were available to authority in its struggle against crime and disorder were helpless to take any action whatsoever against highwaymen and burglars, destructive and murderous mobs, or against any other kinds of violent law-breakers until their crimes had been committed. In the presence of mobs, officialdom was obliged to wait until houses had been set on fire or wrecked, or blood had been spilt, or innocent citizens had been assaulted, robbed or killed. On the occurrence of such events, the effete deputy-constables and night-watchmen were almost helpless against the individual criminal, and the summoning of troops for counter-violence against mobs by sabre-charges and volley-firing was officialdom's only means of dealing with them. On each occasion, the army's power of suppressing mob destructiveness was of temporary duration only. History provides an astonishing record of the ludicrous helplessness and tragic sufferings of authority and the people which were the consequences of inability to prevent crime and disorder, and forestall their occurrence.

For many years the idea of preventing crime and disorder by dealing with them at the sources from which they sprang occurred to no one. Authority maintained the pathetic belief that crime could be suppressed and controlled by increasing the severity of legal punishments. These became so brutal, and led to the public hanging of so many young people of both sexes for trivial offences, that juries

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often refused to convict in cases in which the charge was one of the two hundred and twenty-three crimes for which the punishment was death by hanging. When thieves were caught, the victims of their depredations often refused to prosecute them, in order to save them from the gallows. Humane motives on the part of judges, juries, and the public, law's lack of force, the ease with which gangsterdom could save the professional criminals who were its tools, and other causes, all combined to defeat the success of the policy of increasing the severity of legal punishments. The result was that crime increased and, instead of diminishing, the number of criminals who indulged in it also increased, together with the sufferings of the public and of the State.

In 1750, Henry Fielding, a playwright and novelist who had no connection with Parliament, took it upon himself, as magistrate at Bow Street, to organize a small body of volunteer householders with the purpose of breaking-up and discomfiting local, well-known gangs of thieves by familiarizing themselves with their lives and methods. Fielding filled the office of magistrate only for the short period of the last four years of his life, but his experiences inspired him with many ideas on the subject of crime and the means by which it could be countered. He did not use the phrase ‘ prevention of crime ’ in the sense in which it has become a principle of police, but what was later called ‘ the new science of preventive police ’ was founded almost wholly on ideas which he initiated. These were the necessity of closely watching and studying potential thieves and other criminals, the organization of some form of police machinery which would ensure quick and immediate action for the purpose of checking crime on the first appearance of its commission, and the organized relief from starvation and misery of the vast numbers of destitute poor, to an extent which would take from them the necessity of having to commit crime in order to live. Fielding's books and pamphlets on the subject of social evils, together with his wide sympathies and understanding, should have earned for him the reputation of having been the most far-seeing, practical and humane reformer of his century. The little force of policemen-householders which he founded became, in time, the Bow Street Runners and Patrols. Their establishment was a milestone on the long road of evolution of the modern police constable from the Saxon tithing-man. Among other products of Fielding's suggestions and proposals were the stipendiary magistrates who were created in 1792, and given small bodies of professional constables, on the model of Fielding's little force, to assist them at the courts. It is to Fielding that the country owes the suggestions that town magistrates should be paid, that they should have legal experience, and that their functions should include the befriending and advising of the poor in their

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neighbourhoods. The Bow Street Runners and Patrols and the magistrates' constables were all absorbed in Peel's force of New Police soon after its establishment in 1829.

Although the Cabinet Ministers of the period appreciated Fielding's ideas and allowed his small, volunteer force of householders to be established at Bow Street on an organized and salaried basis, no one foresaw the immense possibilities of the future evolution of the idea. The phrase 'preventive police' was as yet uncoined. Unfortunately, the seventeen-sixties were the period of City gangsterdom's discovery, through the medium of John Wilkes, of the immense possibilities of the use of the London mob as a political weapon for the furtherance and protection of crime-industry, and the exploitation of unenforceable laws. The success of the Wilkes campaign for the preservation of 'Liberty' and, particularly, some special features of it such as the intimidation of magistrates who dared to summon troops in time of trouble, steadily increased the helplessness of authority and the people, and made inevitable the mass mob-terror of the Gordon riots of 1780 which Fielding had prophesied thirty years earlier.

For a short period, Cabinet Ministers and the populace were almost unanimous in believing that the remedy for uncontrollable crime and mob disorder was the establishment of a Police Force under some form of central organization and control which would be independent of the parishes. Lord Shelbourne made a remarkable speech on the subject, in 1780, in which he expressed his belief in the possibility of creating a police organization in England which would be free from the well-known defects of the continental Forces. One of the first acts of the Pitt Government which succeeded Shelbourne's administration was to introduce in Parliament, in 1785, a Bill for the creation of police which was very similar in its detail to the measure which was eventually passed by Parliament in 1829. Pitt withdrew his Bill in the face of the furious opposition of Parliament, which was inspired and waged by City gangsterdom in the name of individual, parish, and national liberty. The lasting success of this campaign and its effects throughout the country during the years which followed postponed the creation of police until 1829. London's problem of uncontrollable crime and mob disorder spread to the new, large centres of population which the Industrial Revolution was rapidly creating in other parts of the country, and became intensified as a menace to the State.

In the meantime, Patrick Colquhoun, another lonely reformer who had no connection with Parliament, discovered in Henry Fielding's ideas the basis of what he called 'the new science of preventive police'. Colquhoun brought the subject vividly to the notice of the nation in a series of books and pamphlets which earned for him,

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long after his death, the title of ‘ Architect of the British Police System ’. Like Fielding, he produced, also, a practical demonstration of his theories, in the form of the Thames Police, a body of men which was planned by Colquhoun and financed by the West India merchants, in 1798, for the purpose of preventing thefts at the London Docks. Colquhoun claimed that this establishment saved the West India merchants five hundred thousand pounds sterling during the first twelve months of its activities. On account of its quick and notable success in preventing theft at the Docks, the Government willingly assumed control of it, but Colquhoun's eager plea that the scheme should be extended to all the ports, and to all parts of the country, was left unanswered. Colquhoun's Thames police were eventually absorbed by Peel's police some years after their establishment.

In the seventeen-nineties, the Pitt Government again attempted the practical adaptation of the preventive principle by drafting, with the assistance of Colquhoun, a new Bill for the establishment of a force of preventive police, but the violent opposition of City gangsterdom brought the plan to an end before it had reached even the stage of presentation of the Bill to Parliament. During the quarter of a century which followed, bemused opposition to the idea of police, which was inspired and led by City gangsterdom, became so formidable throughout the country that even mention of a police force in Parliament or before the various parliamentary committees which were appointed to report on the problem of crime and disorder became difficult and dangerous for the few individuals who maintained their faith in the police solution. The survival of the idea of the preventive principle of police was due to their patience and persistence. For its eventual adoption by an unwilling but unprincipled Parliament in 1829, the nation is everlastingly indebted to the single-minded courage and justifiable determination of Robert Peel. For the subsequent success of the British police system and the preventive and other principles on which it is founded, the credit is wholly due to the first Police Commissioners, Charles Rowan and Richard Mayne, who succeeded, by consummate courage and patience, in overcoming the impediments and frustrations which Whig ministers and the public inflicted on them during the first decade of the existence of the New Police in London.

The ability of a body of uniformed but unarmed men to ‘ prevent ’, by their presence in the streets, the passage and the formation of unruly mobs and to frustrate the plans and procedure of criminal individuals and gangs was not acknowledged to be a possibility until the New Police gave prompt and practical proof of it. In the course of applying the principle of prevention, they soon evolved and adopted the supplementary principles which were suggested by study

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of the tactics of prevention, and the realization by the police of their dependence on popular goodwill. They discovered the enormous power of prevention which could be wielded by persuasion, and by advising and warning potential breakers of the laws. They discovered, also, the power that lay in the simple facts of their presence, and of the immense, latent force of the prestige which their tact and efficiency presently acquired for them as the result of their success in securing public confidence, approval and respect. They learned the use of these features of their power, and they made an art of it, with the consequence that the degree of physical force which they are now obliged to exercise in the course of their daily duties throughout the country is comparatively infinitesimal. From this fact they have evolved the principle of employing, always, even during riots, only the minimum degree of physical force which may be necessary on any particular occasion for the achievement of a particular objective. Not once, but many times, in the course of their duties the sight of the helmet of a single, unarmed policeman has checked and dissolved an unruly and dangerous crowd. The authority of an individual policeman on such occasions is not his power of summoning reinforcements and terrorizing the crowd by force, but his reminder to them, by his presence, of the hopelessness and futility of embarking on a course of sustained opposition to the police, who are merely the active representatives of the will of the majority of the people. The only genuinely effective weapon of the police is the public will. The baton is the symbol, not of the power of the police, but of the power of the will of the people.

CHAPTER VI

' Bobby '

IT is natural that the police ideal of service to the public and to the law should become more clearly visible to thoughtful citizens during the stress of war and aerial bombardment, and that it should inspire more active and vocal appreciation and admiration than in times of peace, but the measures of the personal self-sacrifice and coolness and courage which the police are seen to contribute to the community in the hour of tragedy and crisis in the streets when bombs are falling is inspired by a simple ideal of duty to which they have been giving consistent practical fulfilment for a century.¹ Their readiness in the hour of trial is always equal to the degree of public danger which the hour brings with it. To the individual policeman on duty the moment of danger and of need to make individual sacrifice on behalf of the public is always imminent. His task requires, more often, perhaps, than that of any member of the fighting services, the existence of a basis of individual self-knowledge, self-reliance and self-respect which is necessary to enable him to meet the varying and constantly-changing demands on his individual courage, initiative, humanity, good-humour, gentleness and strength of nerve. Unlike the soldier, he exercises the bulk of his duties alone, without the presence and support of colleagues. He is the servant of law, but he is regarded by law as a citizen who is responsible to it for all his actions, and these are not covered, and cannot be excused, by the orders and responsibility of senior officers. He must take full responsibility for the consequences of interfering with the liberty of others when quick decisions are required of him to arrest, detain, or only question individuals whom he suspects of crime, or of knowledge of a committed crime, and he is liable for punishment by law if he breaks the law in doing so. The policeman's calling is almost unequalled in the scope it offers for the development of character

¹ ' I tell you it gets on our nerves. We can't help it. It's not like the last war, when you knew where a shell was going to if you could hear it. People throw themselves down, and then the bomb goes off, and they get up and laugh. But you can see the way they laugh. It's not natural. And it's queer, too. It makes you feel queer. Sometimes I've been out at night when the bombs are falling. You don't know what it feels like—the street all dark, nobody there, and you all alone. I'm not one to be afraid, generally speaking. But it comes over you like. You feel it getting hold of you. And then, sudden-like, you see somebody else standing there. And it's a policeman. He's all quiet and cheery, and not worrying. And then you find, all of a sudden like, that you're all quiet again, and not worrying. He being like that, it makes you feel like that too.' *Extract from a description of air raids, given to the author by a Londoner, October 1940.*

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and personality, because there are few others which provide better or more frequent opportunities for self-expression while requiring, at the same time, such constant exercise of self-discipline. To face alone, calmly and unflinchingly, all that is unspeakable in horror and tragedy in the varied community life of the streets of the towns ; to risk, unhesitating, life and limb, and to offer ready sacrifice of self whenever the safety of the public demands it ; and not only to dare to do, but to do as a simple daily and hourly duty ' all that may become a man ', from comforting a lost child to facing alone the violence of dangerous criminals and the frenzied insane represent, surely, in peace-time and in war, an ideal of citizenship and practical religion as perfect as any that is available to young manhood in modern times. If Grenfell of Labrador were right in his assertion : ' Religion is action, not diction—things done rather than things said ', the policeman would be the most religious man among us. As a maker of peace, few who aspire to blessedness in this respect can compete with him.

It would be of lasting benefit to the community if every member of it would consider seriously for a moment the part that is played by the police in the life of each individual, hour by hour, by day and by night. The high degree of security of person and property and of the safety of women and children in the streets which is maintained almost invisibly by the police has been created by them out of a chaos of personal insecurity and of uncontrolled vice and crime, the existence of which has been too readily forgotten. It is to the police that all citizens owe their freedom and their ability to pass through the streets and countryside alone and unarmed, and to order and plan their daily affairs in confidence that they need fear no harm or molestation. They are scarcely aware that danger still exists, and that their confidence is based, not on the absence of danger, but on assurance that, in its event, the police will befriend, relieve, and rescue them, and ensure for them justice, restitution, and enjoyment of whatever rights may be taken from them by aggressors. To the existence of the police is due the smooth ordering of the affairs, not only of individual citizens, but of all the complicated machinery of central and local government, private and public businesses and institutions, and other corporate bodies of citizens which together comprise the living structure of the community. Everyone should remember that all the immense, unseen, ' preventive ' power of the police which enables the machinery of community organization to function so smoothly and so effectively is the creation, not of their material power and strength, but of the respect, regard, and affection in which they are held by the bulk of their fellow-citizens, in every walk of life, and in every class of society. The success of the police in securing and maintaining the public respect and admiration which

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they enjoy is, perhaps, their greatest achievement. They have sought these deliberately, in full consciousness, always, since the early years of their establishment, that, without them, the ideal of the creation and maintenance of order and orderliness which they have before them would be forever beyond their reach.

A glance at one particular aspect of the functions and duties of the police reveals, more clearly than a general survey, the ingredients of their success as an institution. In the story of their achievement of traffic control lies a parable of civic life which will repay the careful consideration of individual citizens who may resent, sometimes, what they wrongly regard as the interference of the police with the exercise of individual rights and liberties. Among other features of the mountain of disorder which the police were required to face on their first establishment, the traffic chaos of the London streets was not the most formidable, but it presented peculiar difficulties due to the firmly-held belief of drivers of all kinds, and of all ranks of society, from peers to costers, that they possessed the individual right of stopping where they pleased, and of moving and crossing anywhere in the streets at any pace they chose, regardless of the fact that the exercise of this right brought with it, for all, the quick and inevitable curtailment of power and liberty to progress in any direction. Individual drivers were unaware that they were creating the chaos in the streets which they deplored, and the efforts of the New Police to enlighten and restrain them were hotly resisted by them with their whips, and by the driving of their horses and their vehicles at, and over, the policemen who tried to induce them to reason sensibly and to conform with traffic regulations which would secure the smooth progress, welfare, and convenience of all concerned. Without the police and their patience in fulfilling their task, the traffic chaos of the London streets might have increased until all movement became impossible, and this would have been an interesting, but ultimately inevitable, consequence of the insistence, by individuals, on their rights to drive where and how they pleased. Slowly but surely, the police taught the drivers of the London streets the age-long but wilfully-rejected lesson of democratic liberty ; that its voluntary sacrifice by the individual, when necessary in the interests of others, is often the surest means open to him of securing for himself the enhancement and enjoyment of its benefits. It is a lesson which, in the course of a century, the police have taught the people of Britain to recognize in every aspect of their daily lives.

CHAPTER VII

Peel's Problem in 1829

IT is a little-known fact that the practical application of police principles in the form of the magnificent police institution which has been evolved from them, and, also, the conception and invention of many of the theories and ideals on which its successful functioning is based were the life-work of two men, Charles Rowan and Richard Mayne, whose names and immense services to the nation were forgotten by the public almost as soon as they were dead. With the early guidance and advice of Peel, who chose them for the task and left it to them, they created the Metropolitan Police for the service of what was, at first, a restricted area of London. The striking success of the London police force in the face of what had seemed to be insurmountable difficulties was soon seen and acknowledged in adjoining parishes and country areas. In the course of thirty years, a 'London-model' Police Force was established in every town and county in Great Britain, and in almost every colony and dependency of the empire, as well as in many foreign countries, whose governments copied, with too much discrimination in detail, such features of the London police establishment as seemed suitable to their needs. During the later eighteen-thirties, Rowan and Mayne were engaged almost daily in reporting on and re-drafting schemes for police establishments based on the London model, which came to them from every quarter of the globe. To the consistent vision, ideal and effort of these two first Commissioners of the Metropolitan Police is due the secure establishment of police principles throughout the empire, and the unwritten story of their lasting, beneficial consequences on the lives, security, and prosperity of the millions of people who compose its varied communities.

Although police principles are essentially the product of the character of the British people and their most pride-inspiring and significant contribution to democratic civilization, they are indebted to Rowan and Mayne for the guidance, leadership, vision, and organizing ability which gave practical form to the police institutions of Britain and the empire, and based their foundations firmly on dependence on public approval. The story of the struggle of the two Commissioners and of the eventual triumph of their courage, tact, consummate patience and single-mindedness of purpose, which were at first their only defence against the misguided hostility of King, Ministers, and populace, is an overlooked and forgotten, but very significant, item of the history of the British nation.

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Peel's problem, which confronted him when he took office as Home Secretary in January 1822, is more clearly visible to-day, in its detail, than it was in the turmoil of the circumstances of his times. During the eighteenth century, the enforcement of law had become increasingly difficult, following the complete breakdown of the parish-constable system, first in London, and, later, in other large centres of population. Crime and mob disorder became uncontrollable to a degree which made them a menace to the existence of authority and of the State. The wars with France brought temporary relief, because public tolerance of repressive measures taken by authority was secured by fear of invasion, and by the patriotic feelings which this engendered among all classes. Later, patriotism and temporary economic prosperity engendered by war expenditure made severe repressive measures in support of law unnecessary, but the removal of all these artificial war influences after Waterloo revealed that crime and mob disorder had increased in power and menace. Sidmouth toyed with the police idea in 1815, but quickly abandoned it in favour of a pathetic Yeomanry scheme which failed disastrously at 'Peterloo', where, as a result of their circus antics, a body of untrained Manchester Yeomanry had to be rescued from a large and comparatively harmless crowd of peaceably-demonstrating, hunger-stricken workers by a cavalry charge by Regulars which caused some hundreds of casualties.

The educative effect of 'Peterloo' on the minds of the ruling classes was of even greater consequence than the indignation which it aroused throughout the country. The faith of the members of Lord Liverpool's Government in their power to control the menace of disorder by military force alone was rudely shaken, in spite of their crude efforts to justify their policy. An event in the following year increased their fears. During the disturbances which accompanied the return of Queen Caroline to London, a battalion of the Guards staged a comparatively mild mutiny, and there were signs of mutiny in other units. Wellington's blatant self-confidence in his ability to control disorder by means of the army alone, which he had asserted earlier, was shaken to an extent which inspired him to address a long memorandum to his Cabinet colleagues demanding the immediate creation of a police force 'without the loss of a moment's time'. His colleagues remained unmoved, but, within eighteen months, Sidmouth resigned, and Peel was appointed in his place.

On March 15, 1822, within a few weeks of taking office, Peel announced in the House of Commons his intention to obtain for London 'as perfect a system of police as was consistent with the character of a free country', and he appointed a Select Committee to report on 'The State of the Police of the Metropolis'. The Com-

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mittee told him and the country, promptly, that forfeiture or curtailment of individual liberty which the creation of an effective police system would bring with it 'would be too great a sacrifice on behalf of improvements in police or facilities in detection of crime'. This belief was the product of long-sustained, skilful propaganda by vested interests with heavy commitments in the freedom of crime from control by law. Behind these interests were ranged all who sought the fulfilment of political programmes by means of mob disorder, and, more unfortunately, the vast majority of sincere, progressive political leaders, and most of the 'peaceably-disposed', patriotic citizens. These, misled by propaganda, believed sincerely that a centrally-organized police force was a 'foreign' conception, the adoption of which by England would bring with it a system of State espionage of the kind which had been notoriously employed in France, and that it would destroy individual rights and liberty. There were few citizens in England who desired and did not fear the creation of a police force, and fewer still who dared to express this view in public.

The dictates of political expediency would have checked most statesmen in these circumstances, but Peel was faced by a problem for which the finding of a solution was a dire necessity in the interest of the State. In the possession of courage and determination, when his vision was clear, he was unequalled by any of his contemporaries. The military arm as a weapon for securing law-observance was on the verge of complete breakdown in face of popular hatred of the troops, increasing fierceness of resistance to them on occasions of their use in suppressing riots, and increasing hatred by the troops, both officers and men, of this form of service. The alternative to the suppression of riots by the military arm was chaos. Against crime, the army was useless as a weapon. In London, the small independent bodies of parish constables and watchmen, the Bow Street Runners and Patrols, the Thames Police and the constables of the magistrates' courts were wholly inadequate for the task of checking and controlling crime. Its social consequences were not less formidable as a national menace than the growth of mob disorder.

In the archives of the Home Office there was a complete documentation of plans for police which had been accumulated in the course of nearly a century. There were Henry Fielding's plans of the seventeen-fifties which had originated the Bow Street Runners and Patrols and the small bodies of paid constables which were attached to the magistrates' courts. There were the memoranda and remarkable speech of Lord Shelbourne, who had demonstrated, in 1780, the possibility of creating a police force which would be free from the defects of the police of France. There was the fully-drafted

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Police Bill by which Pitt, through the efforts of his Attorney-General, Sir Archibald Macdonald, had sought to create a police force in 1785, although he weakly abandoned it at the urgent demand of the disorder-profiteers of the City, and thus allowed London's problem of uncontrollable crime and mob disorder to become, later, the nation-wide problem of the new industrial towns and provincial areas. There were Patrick Colquhoun's plans for the policing of the London Docks, and the Bill, based on his discovery of the 'new science' of preventive police, which Pitt's Government drafted in the seventeen-nineties, but feared to present to Parliament; and there were the Reports of the many Committees who had been appointed at various times by Parliament for the purpose of inquiring into every aspect of the problem of crime and disorder, and had failed, consistently, to find courage to recommend the obvious solution.

The blind hostility of the Committee of 1822 revealed emphatically to Peel the formidable nature of his difficulties, but it did not deflect him from his intentions. He prepared the ground for police by a long series of legal reforms. They were far-reaching in their detail and bulk, but they removed only the fringe of the legal obstacles with which the New Police found themselves confronted when they were established. In 1829, Peel found that his political control of Parliament was sufficient to enable him to secure his objective. The Report of a carefully-handled Committee was followed by a skilfully manœuvred Bill, for the detail of which Peel drew largely on earlier records. He threatened to include the City in the police area, and then bargained with the Whigs for smooth passage of his Bill, in return for the City's omission. He brought the Metropolitan Police into being, but, soon, they were left to face alone, when the Tory Government lost office in 1830, all the disastrous consequences of Peel's courageous and necessary, but too optimistic, disregard of public opinion and the power of Whig jealousy.

The creation of the Metropolitan Police of London was only a beginning. To their patiently-endured sufferings is due their narrowly-won triumph in securing the approval and respect of the public to an extent which enabled the British police conception, as exemplified by the London model, to be established throughout the nation and throughout the empire. Within ten years of the establishment of the London force, provincial towns were copying it in all its details, with the help of special legislation when this was necessary. In 1839, an Act of Parliament enabled the County areas to follow suit. Seventeen years later, the glaring contrast between provincial areas in which London-model police forces had been established and others which had declined to adopt them obliged the Government to make the establishment of a police force no longer permissive, but

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compulsory, for local authorities, because the areas which were without police had become, visibly and alarmingly, the shelter and resort of the bulk of the criminal population of the country. An Act of Parliament in 1856 completed the establishment of London-model police forces throughout the entire area of Great Britain. Wherever the police appeared crime was at once brought under control and ceased, automatically, to be either a local or a national problem. Against mob disorder, the use of unarmed police and the new principles which inspired their tactics were found to be a mild and tolerable preventive weapon, the thorough efficiency of which ended the use of the crude and often brutal tactics which the army had been obliged to employ.

The nation's narrow escape from disaster which seemed to have become inevitable during the first decades of the nineteenth century as the consequence of mob disorder has never been explained convincingly by historians. The army checked, but never overcame, the menace against which it can be seen to have been fighting a losing battle as early as the eighteen-twenties. Many historians who admit the nation's danger at this time have assumed that the menace of revolution was finally averted in the eighteen-thirties and later by the growth of political education and 'political-mindedness' among the working-classes and their leaders. This explanation is unsatisfactory because it ignores the facts of the capture of the Radical and Chartist movements on several occasions by extremist leaders whose influence and abilities secured for their revolutionary programmes the willing and active support of the masses. Revolution was averted in the eighteen-twenties, not by the power of the army, but by the consistent inability of extremist leaders to instigate rioting except among people who were starving. The hunger-motive was rarely found to be present in sufficient strength to inspire turbulence in more than one or two districts simultaneously, and the Government were able to provide troops for each affected locality in turn, effectively, but with difficulty, in view of the rapidly-increasing demands for them from magistrates. If rioting had occurred in all industrial districts simultaneously, Authority would have been defeated disastrously, because there were not sufficient troops in the country to save it. Government weakness in this respect became increasingly clear to the extremist working-class leaders, and it suggested to them the plan of synchronizing risings in all industrial areas.

This plan had no prospects of success until the eighteen-thirties, when the growth of political-mindedness among the workers created conditions which were encouraging for extremist leaders and extremely menacing to the nation. The workers showed clear signs of being willing at last, without the inspiration of acute starvation,

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to respond to the demand for organized rioting. Vast numbers indicated clearly, during the Chartist agitation, that they preferred the 'Physical-force' policy of the extremist leaders to that of exercising pressure on Parliament and the Whigs, which the moderate leaders had followed consistently, because it secured results without antagonizing public opinion and was steadily enlisting this on the side of the workers and against the army. The plan for a synchronized rising was defeated emphatically by the police, whose 'preventive' tactics frustrated signal-risings in London in 1833 and in the winter of 1839-40. Authority was helped also by the spread of railways, which greatly eased the Government's difficulty of moving troops rapidly among the threatened areas where police were not yet established. The railways did not avert or obscure the failure of the military arm which had become increasingly obvious, but they postponed it long enough to enable the army to keep revolution at bay during the thirty years of police experiment which preceded the secure establishment of police authority in all areas. In the peaceful political atmosphere which followed the elimination by the police of much public fear of disorder, and as the result of the confidence and sense of security which they created among all classes, the demands of the Charter, which had threatened national security in the eighteen-thirties, were allowed, quietly and unobtrusively, and with only one trifling exception, to find their way, one by one, to the Statute Book as laws.

Control of crime and disorder was only the beginning of the reforms and changes which have been effected by the police, not only in the social life and structure of the community, but in the fundamental character of the British people. The story of the police and their achievements is one of which the people of Great Britain have more reason to be proud than of any other in their historic record. It is to the educative influence of the police and their principles that they owe much of the strength and unity which were the basis of their triumph, in recent years, in the most formidable crisis which has ever threatened their existence, but the full effect of the values and influences of the police idea and its power and inspiration provides a chapter of British history of which the people are almost wholly ignorant. In the records of the nations there is, surely, no more curious phenomenon than the neglect by British historians of the story of their police, and the effects and consequences of the discovery of British police principles on the life and history of the nation and the race, at home and overseas. There is no single item of nineteenth-century history which is so important, so significant and so far-reaching in its consequences for the nation than the creation by Peel, in 1829, of the Metropolitan Police Force of London, and yet it is possible to examine some thousands of volumes of

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Rowan's features can be seen in Salter's massive picture, 'The Waterloo Banquet', and also, in clearer detail, in a larger, separate study which the artist made in preparation for the other. In the group, Rowan has the appearance of a young boy, clean-shaven and rosy-cheeked, with smooth hair and boyish eyes. In an attempt to subdue these effects, the artist has added, incongruously, a sharp touch of white to the hair. The study-portrait shows an elderly soldier with grey, wavy hair, thin lips and a stern expression, the blending of which with that of an irresponsible boyishness which it was impossible to ignore undoubtedly puzzled the artist, and defeated him when he copied the larger portrait in miniature for the group.

It is interesting to turn from these portraits of Rowan to his public correspondence.¹ This reveals some marked contrasts in character; coldness and dignity and unruffled reserve; strictly impersonal single-minded devotion to duty and to the interests of the police establishment; sudden outbursts of anger and warm sympathy which were inspired, on each occasion, by the infliction of injustice by others on the weak and helpless; and an occasional, engaging whimsicality of expression and turn of phrase which is sometimes as incongruous as it is unexpected. Rowan appears to have been a capable and talented soldier whose personality, in the best Wellington tradition, combined dignity, self-confidence and self-reliance with unassuming and sincere modesty of manner, outlook and address. He attended church regularly, and was a valuable friend to religious societies. He never married, and most of his later life was spent in bachelor quarters at Scotland Yard. His keenest interests apart from his work were shooting and fishing, and these led him frequently to Scotland and to the Tweed.²

Richard Mayne was Rowan's junior by fourteen years. There are two portraits of him for which he sat during his later years, and these show clearly the strength and forcefulness of mind and personality which were his most marked characteristics throughout his life. He was the fourth son of Edward Mayne, a judge of the Court of King's Bench in Ireland. Richard came to Trinity College, Cambridge, in 1818, from Trinity College, Dublin, and was called to the Bar at Lincoln's Inn in 1822. He was beginning to make a name for himself on the Northern Circuit when Peel noticed him and persuaded him, at the age of thirty-three, to sacrifice a promising legal career for the new duty of organizing the police. Between the young barrister and Rowan, a close and affectionate friendship was established which was founded, at first, on mutual liking and respect, and was later cemented by the fierceness of the trials and struggles

¹ No private correspondence of Rowan and Mayne appears to be available.

² To Floors Castle, which he called 'my fishing headquarters'.

which an outrageous hostility inspired by personal and political jealousy obliged them to face and endure alone and almost unsupported. Their efforts and their sufferings developed in each the marked, distinctive qualities of character which made them curiously dependent on, and complementary to, one another. Rowan's quiet and unruffled dignity needed the forcefulness of Mayne's active and aggressive mentality. His flair for quick, devastating verbal counter-attack on the plots and wiles of enemy intriguers was enhanced in its power by the presence at his side of his older and less expressive colleague, and the dignity of his support. Of the new methods and new styles in the conduct of government and departmental affairs and correspondence which were initiated by Peel, the letters and memoranda of the two police Commissioners are outstanding examples. Nothing in them is more remarkable than their clarity and simplicity ; the consistency of the writers in the single-mindedness of their devotion to the welfare of the police establishment which was their sole objective and ideal ; and their equally consistent disregard of every consideration which affected their personal pride and dignity as individuals, and not as officials.

During the summer months of 1829, Peel was closeted almost daily with the Commissioners, planning and drafting the detail of the new organization. There is no doubt that Peel brought to the conferences ideas which were the product of his experience in reforming the police of Ireland when he was Chief Secretary, from 1812 to 1818. His aim for Ireland was 'a police which should tend not only to punish crime, but to prevent it ; and which, by habituating the people to obey the law, might probably in the end have the effect of attaching them to it.'¹ The seed of the British principles is clearly visible, and its growth, later, soon led to abandonment of punishment as a police function. It is certain that the three men had only a vague conception of their intentions when they first met at these conferences. Records of their deliberations are almost non-existent, but the idea that the New Police Force was to be as unmilitary and as wholly civilian in its organization and composition as it was possible to make it seems to have been suggested during the course of the discussions and not before they began. Croker enjoyed the friendship of Peel in 1829, before abusing it, and losing it, later, and the editor of his correspondence quotes him as recording that 'the uniform was at first intended to be of red and gold, but blue was fortunately chosen instead'.² Rowan once stated : 'There was a discussion with the Secretary of State whether they (the New Police) should put on a uniform or not. The question was discussed at great length,

¹ This view was expressed by Goulburn in supporting the Irish Police Bill of 1822.

² *Correspondence and Diaries of John Wilson Croker*, edited by Louis J. Jennings, 1884 edition, Vol. 2, p. 17.

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and the advantages and disadvantages of the two systems were weighed ; it was thought more desirable that they should be in uniform.¹ He added that, before 1829, such police as were in existence were always in plain clothes, and that there were a great many objections to the New Police appearing in uniform.²

The result of the discussions was a decision which led, eventually, after much suffering, to the discovery of one of the governing principles of the police : their need of constant awareness that their power depends solely on their ability to secure and maintain the respect and approval of the public. The full lesson which led, later, to complete understanding of the truth and value of this principle was as yet unlearned. All that was seen by Peel and the Commissioners was the advisability, in seeking to prevent crime, of not antagonizing the London public to a greater degree than was unavoidable. It was decided that the police were to be as unmilitary as possible, even in appearance, and that they were to be unarmed, except for a wooden baton which each man would carry in the tail pocket of a dark-blue and unobtrusive civilian coat. Blue trousers and a tall, heavy top-hat of civilian model completed the modest appearance of their attire.³ These decisions were bold and imaginative, but it is unlikely that Peel and the Commissioners and others whom they consulted can have regarded them as being anything but part of an interesting experiment which would require experience in practice to mature and justify it. Its promoters were inspired principally by a desire to please the public, and probably, also, by awareness of the fact that the effect of the sight of military uniforms on rioters was becoming increasingly that of the pouring of oil on flames.

The Metropolitan Police Area stretched from Brentford Bridge on the west to the River Lea on the east, and from Highgate on the north to Streatham and Norwood on the south, without including the City. For purposes of the internal discipline of the new Force, it was recognized that some degree of military organization would be necessary. It was decided that the men would be grouped in seventeen divisions into which the police area would be divided, each Division being in charge of a Superintendent, who would be directly under the supervision of the Commissioners, and would have under him a number of Inspectors, sergeants, and constables which varied slightly according to the area and requirements of each Division. It was found to be impracticable to make parish boundaries coincide with those of the Divisions, which had to be defined, eventually, in

¹ *Select Committee on Policemen as Spies*, 1833, p. 80.

² Rowan appears to have forgotten the absurd red waistcoats of the Bow Street Runners.

³ With 'light,' probably white, trousers in summer, and rough, dark-brown greatcoats in winter.

accordance with population. Each Division represented a carefully-defined area, and was divided into beats. The problem of meagre finances was always present, but it was not this consideration alone which decided the Commissioners to select Superintendents from among retired army sergeants and sergeant-majors instead of from among officers of commissioned rank and higher social status. It was a decision which was fully justified by later experience of the failure of one or two commissioned officers who were appointed as Superintendents experimentally. Most of the first Superintendents of the Metropolitan Police were sergeants or sergeant-majors from the regular army, and it would be difficult to find in military history better records than theirs of strange, trying and exacting duties courageously and successfully fulfilled.

An interesting difficulty presented itself in the form of the custom of patronage which in 1829 was still a scandalous menace to the efficiency of every State department. The eventual flood of demands from aristocratic and other politically-influential individuals for the enlistment, promotion, or appointment to officer rank of their nominees was anticipated by Peel with a decision that all appointments were to be governed by merit only, and that all promotions were to be made from the ranks below that of a vacant post. The task of insistence on this decision was faithfully fulfilled by the Commissioners, and it greatly increased their sufferings at the hands of their many detractors and other enemies, besides adding seriously to the bulk of the public hostility which they were obliged to face as the consequence of the offence which they gave in refusing unjustifiable requests.

In all these preliminary decisions the principles of police which became clearly visible and defined later were only dimly and rather vaguely foreseen. The principle that the function of the New Police should be to prevent instead of to repress crime was fully acknowledged and understood, but the full and remarkable later consequences of the effect of the combination of this principle with that of deference to the public and the seeking of public co-operation and support were not even imagined. No one visualized in 1829 the results to which this combination of principle and expediency was about to lead. The Commissioners did not know then that their understanding of the advisability of not over-antagonizing the public would lead them to realize their inescapable need of obtaining the approval of the public, and that this when acquired would not only give the police all the power and prestige which they required for the successful fulfilment of their task, but also endow them with unimagined facilities for securing effective prevention of crime without the need to resort of physical force. No one could have prophesied in the early years of the New Police establishment that

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the same degree of mob disorder which then required a special concentration of police from several Divisions in London would sometimes require for its elimination, less than a century later, only the appearance of a single policeman.

Nothing can detract from the respect that is due to the memory of Peel for his handling of the task of creating and initiating the New Police, but it must be recorded that his judgement was seriously at fault in at least three of his preliminary decisions. In fixing the weekly pay of the men at the small sum of twenty-one shillings, inclusive of a two-shilling reduction for clothing, he had the excuse of the difficulty of obtaining finance from Parliament for the police venture. This difficulty does not exonerate him from blindness to the fact that low pay combined with severe terms of enlistment were likely to create endless difficulties in securing sufficient numbers of men of the type that was expected to be satisfactory, and willing to make police service a life-work. Recruits were expected to be healthy and strong physically and mentally, and to be able to read and write. They were to be under the age of thirty-five, and not less than five feet seven inches in height ; of sound moral character and good intelligence ; and able to produce recommendations from one or more persons of good social position to whom they were personally known. Peel seems to have ignored the fact that most men who could show these qualifications were old enough to have already chosen a calling and worked at it, and were likely to be either failures, or obliged by temporary misfortunes to seek what they regarded as temporary relief, by joining the police for a short time with the intention of securing sustenance until an opening presented itself for their return to their original occupation. Not until they were faced by alarming proof of the fact did Peel and the Commissioners realize that the vast majority of candidates for admission to the Force were failures and drunkards, and that its duties, pay, and terms of enlistment had too little attraction for the type of man that was required. The procuring of certificates of good character was no obstacle to undesirables. For the first ten years of the existence of the Force, the problem of recruiting perpetually entangled the steps of the Commissioners. Among other friends, Croker warned Peel against the probable future evils of insufficient pay, but Peel replied, with assurance which was undimmed by his enjoyment of an exceptionally large, inherited income, that a man could live very comfortably on nineteen shillings weekly, and that Croker's fears were therefore unfounded.¹

For the financing of the police organization, Peel decided, in spite of strong warning from anonymous and other advisers, that a tax based on the county assessment of the annual value of all property

¹ *Croker's Correspondence and Diaries*, 1884 edition, Vol. 2, pp. 17-20.

rateable for the relief of the poor but not exceeding eightpence in the pound should be levied by the Commissioners on the poor-rate authorities of each parish in the police district. Peel should have foreseen the rage and bitterness of the parish Vestries, which were the consequence of the loss of the constables and night-watchmen who were peremptorily abolished by law in every parish where the New Police functioned. He must have been aware, from evidence that was notorious, that the Vestry officials, constables, and night-watchmen of most of the parishes were all part of a vast network, not only of jobbery and nepotism, but of vice-trafficking and crime-condoning profiteering. The financing of the New Police by levies on the poor-rates of the parishes may have been historically justifiable, but it presented the unscrupulous parish authorities with a welcome excuse behind which they could hide the real cause of their rage. For rousing the animosity of clean-living parishioners against the New Police, the method of taxation provided as perfect a propaganda weapon as any that could have been devised, and perfect use was made of it, to the unjustified astonishment of Peel.

The most inexcusable of all these evidences of short-sightedness was Peel's refusal to regulate and to determine the status, and even the duties, of the Commissioners as public servants, in spite of their urgent requests to him to do so. They were given the official title of Commissioners of the Metropolitan Police and were appointed magistrates without bench duties. Peel visualized the necessity of separating executive from judicial police duties, in accordance with ideas which had been expressed by the Pitt Government in the seventeen-eighties, but he hesitated to give shape to the principle or to define it in detail, and he left the general plan to fulfil itself in practice, by the outcome of trial and error. Of error, in conception, there was plenty. Besides the parish constables and night-watchmen who were abolished, the police executive in London prior to the establishment of the new Force consisted of several separately-functioning bodies which were not only closely linked with the judiciary, but were almost wholly part of it and under its control and administration. There were the ward and other constables and watchmen of the City who were the notoriously corrupt tools of the aldermanic magistrates of that district. There was the Thames Police, an efficient body of men who were under the control of the stipendiary magistrates of the Thames police-court. At each of seven other stipendiary courts there was a body of eight or ten constables who were controlled by the magistrates who sat there, and lastly, there was the Bow Street establishment. This originally consisted of the Bow Street Runners, and the Mounted and Dismounted Patrols. With the exception of the Mounted Patrol which had recently been transferred to the separate authority of the Home Office, for some

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obscure reason, the other units were under the direct control and authority of the Chief Magistrate of Bow Street. His office carried with it a knighthood, an annual salary of twelve hundred pounds, and clearly-defined duties of attendance in uniform on the King on state occasions and in the streets during riots. The Chief Magistrate was regarded as being responsible for peace and order throughout what was almost the entire area of London west of the City. The City was omitted, but Bow Street and all other stipendiary offices were included in the new Metropolitan Police district, and the new Commissioners were made responsible for its policing. The annual salary of each of them was the meagre sum of eight hundred pounds. They wore no uniforms, and were given no Court or other defined social or service status, except the rank of magistrate without bench duties. Undefined, also, were their power and status on occasions of riot and disturbances. Peel refused to give a ruling that they were to be under the Chief Magistrate of Bow Street and subject to his orders, or that he was to be under them. The entire Dismounted Patrol was transferred arbitrarily to their control for amalgamation in the New Police, and a threat was implied that the Mounted or Horse Patrol, the Runners, the constables of the stipendiary courts, and the Thames Police might be handed over to the Commissioners, likewise, at any moment. It is not surprising that the London stipendiary magistrates with a few outstanding exceptions were moved at this time by a passionate conviction that the theory of the need of separating the judicial and executive functions of the law was a menace to its entire fabric and to that of the State, and that the creation of the New Police by Peel, and, particularly, that of the office of Commissioners of Police were grave errors involving infinite danger to the constitution. That Peel failed to see the inevitability of endless trouble, friction, and intrigue which would be the unavoidable consequences of jealousy, particularly with regard to the relationship between the Chief Magistrate of Bow Street and the Commissioners, is a curious fact of his planning. In refusing to define their duties and status more clearly he may have been prompted by faith in his ability to support and protect the Commissioners from his place of authority at the Home Office. What followed was that he was out of office within fifteen months of the establishment of the New Police, and the Commissioners found themselves alone, unsupported and attacked by new and subtle enemies, in the form of Peel's Whig ministerial successors, at the time when public hostility towards the police was most intense.

Peel's remissness in failing to plan in detail a complete or, at least, a workable separation of the judicial and executive branches of law had the effect of creating unnecessary confusion, the consequences of which nearly destroyed both his plans and the existence of the

New Force when Whig ministers found pleasure in condoning and encouraging the sustained jealousy-inspired intrigues of its many enemies, especially those of a later Chief Magistrate of Bow Street, Sir Frederick Roe. The final victory at the end of a fierce battle which was waged throughout a period of several years was won by the police at the price of severe, and, in some instances, pathetic casualties, and it was due, almost wholly, to the patience, unflinching determination and strength of character of the two Commissioners.

It should not be forgotten that the clear and well-defined separation of the judicial and executive branches of the law which exists to-day is the product of strife, from which the judicial authorities who resented police encroachment on their powers, and the police who resented what seemed to them to be the unprovoked interference of the judicial authorities with their functions and pursuit of efficiency, both learned salutary and humbling lessons in the interests of law and justice. Judicial authority has achieved enhancement of its dignity, of its enjoyment of public respect, and of its power of administering pure justice. The police have learned to see clearly the increase of power and the increased facilities of achieving their main objectives which accrue to them from being freed from the tasks and taint of being judges, punishers, and avengers. They have defined this freedom and embodied it in their principles, but the smoothness and harmony of the relationship which now exists between the courts and the police is almost wholly the achievement of the latter. It was effected in the early years of the existence of the New Police by the Commissioners' patiently-exercised demonstration of the police ideals which they had conceived, and the practical lessons which they quickly learned as the consequence of single-minded pursuit of their ideals.

It will be seen that the daily conferences between Peel and the Commissioners in the summer of 1829 produced a plan which was dangerously incomplete in matters which should have been more clearly and more definitely pre-arranged, and that it was dangerously rigid in matters which should have been left in better readiness for adjustment in the course of experience of its working. It was a remarkably clever and far-sighted conception, but it was saved from failure solely by the patience and peculiar genius of the two men who were responsible for its practical application.

The Commissioners were officially appointed in July 1829. For their headquarters, they were given a private house, No. 4, Whitehall Place. The back premises adjoined a courtyard of Whitehall Palace, which had been the site of the Palace of Scotland, when the Ambassadors of the Scottish kings lodged in London in the days before the Union. After his arrival in England and occupation of the throne, James I made the building his Office of Works. The site had been

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given the simple name 'Scotland'. Later, when Sir Christopher Wren and other surveyors were allowed to use the courtyard for the collection and storage of building material, the word, 'Yard', was added. As the back premises of No. 4, Whitehall Place became known to the public as the central office of the Metropolitan Police, the name, Scotland Yard, soon superseded all others as the address of the police, and it became so closely associated with the institution in the public mind that it was retained and applied to the new building on the Embankment to which police headquarters were transferred in 1890.

In 1829, the entry to the courtyard at the back of Whitehall Place was through an archway which was blocked by a lamp-post and a large stone. On the south side there were stables and manure-pits. The adjoining buildings were used by various Government departments, and some of them were the headquarters of permanent and other commissions. Cramped space soon created difficulties.

Between July and September, in addition to conferring almost daily with Peel, the Commissioners completed their immense task of practical organization of the new Force. Recruits were interviewed and examined, and men who were selected for the posts of Superintendent and Inspector were carefully instructed in the theory of their duties. All ranks were initiated into the conception of the duties and functions which had been planned for them. It was decided to make a start in September with six divisions, and to expand the organization during the following months, until the entire area which had been allotted to the police by Parliament was fully covered.

Besides the work of organizing the Force, there was the more delicate task of approaching the parish authorities, ordering them to disband their constables and watchmen, to hand over their watch-houses and equipment, and to make payment of the police-rate within forty days. These were duties which the Commissioners were empowered to fulfil by the Police Act of 1829, and they seemed simple in theory. In practice, difficulties were created which seemed insurmountable, and they were removed eventually only by their effect in forcing the Government to soothe the parishes by paying out of the Consolidated Fund a quarter of the sums demanded from them. For all matters concerning finance and accountancy, the Commissioners were given the assistance of a junior colleague, John Wray, who was appointed with the title, Receiver of the Police Rate, and was installed with his clerks at Whitehall Place.¹ He relieved the Commissioners of much of the burden of the detail of financial

¹ Peel intended to appoint three Commissioners and offered the rank to Wray, who refused it. Little is known of Wray's earlier career besides the facts that he was a barrister, and chairman of the University Insurance Society.

organization, and he showed in his work of arranging the clothing and equipment supplies and the leasing of stations, section-houses and other buildings a flair for practical planning which had lasting good effects on future developments. He was junior in status to the two Commissioners, and junior also in his salary, which was one hundred pounds less than the small annual sums of eight hundred pounds to which they were limited. He was always a loyal and zestful colleague who, like them, made the task of organizing the new Force and building it on sure foundations an eager life-work. His portrait shows clear-cut, clean-shaven, sharply-lined features, and eyes which express humour and good-nature, and it fully endorses the impression of his character which is suggested by his correspondence. Neither of the Commissioners surpassed him in ability to clarify, in reports and memoranda, the obscure details and essential facts and issues of the difficult situations which constantly complicated the relations between the Home Office, the police, and the parishes.

CHAPTER IX

1829 (*continued*)

SOME interesting details of the preparatory work undertaken by the Commissioners during the short period between July and September 1829 are revealed in the police correspondence books, although the bulk of the work was arranged through personal interviews and conversations of which no records were kept. There appears to have been no lack of applicants for the post of constable. The first letter written by the Commissioners which has been copied is typical of hundreds of others :

MAURICE SWABEY, ESQ.

WHITEHALL,
17 July 1829.

SIR,

I beg to acknowledge the receipt of your letter of this date recommending Charles Knock for employment under Mr. Mayne and myself, and to acquaint you that we have added his name to a numerous list of applicants and shall be happy to pay all the attention in our power to your recommendation.

I am, etc.

C. ROWAN.

In less than four weeks from the date of this letter, the Commissioners were answering patron-applicants through the medium of a clerk :

The Commissioners of Police have to acknowledge the receipt of your letter dated the 13th inst., and beg to acquaint you in reply that there is not at present any vacancy in the Police Service. . . .

There were, as yet, few signs of the storms which were brewing on every side. The Commissioners were unerring in the tone of their first addresses to the parishes. Their courtesy and willingness to co-operate in lessening the discomfiture of the Vestries are made clear by a letter, a copy of which they sent to the authorities of all the parishes in the first area which the police occupied. These were St. George's, Hanover Square ; St. James's ; St. Margaret's and St. John's ; Saint Martin's-in-the-Fields ; Saint Paul, Covent Garden ; Saint Clement Danes ; St. Mary le Strand ; St. George the Martyr ; St. Anne's, Soho ; St. Giles and St. George's, Bloomsbury ; and St. Marylebone. The letter was signed by a clerk :

29 July 1829.

The Commissioners of the Metropolitan Police desire me to acquaint you with their anxious wish to relieve the Parish of —, as far as is in their power, from the expense and inconvenience

that may be caused by the discharge of the present parochial Watchmen when Mr. Peel's new measures of Police shall come in operation in your Parish.

The Commissioners, with this feeling, beg to state that they are now ready to receive a list of names of all persons employed in the Parish of — as parochial Watch or Constables that can be well recommended and who come within the regulations that have been laid down for persons wishing to enter the Metropolitan Police Force, and upon the receipt of such list notice will be given to you of the day appointed for the attendance and examination of the individuals seeking to be admitted.

A copy of the regulations is enclosed.

All the parishes seem to have replied, with the exception of Marylebone. The watchmen candidates were duly mustered and examined during the first fortnight of August. Most of them appear to have been rejected on grounds of failing to satisfy police requirements and standards, a fact which caused much grumbling later, and provided a minor weapon for parish critics. Marylebone ignored the Commissioners' letter, and told them, on August 5, in answer to a second notification, that a list of the names of watchmen who were desirous of entering the new police service 'would be laid before the Vestry of St. Marylebone Parish' in November. The Commissioners replied, patiently: 'Their object will not be answered by your communicating their letter at so distant a period,' and asked for immediate attention. There is no evidence that it was given to them. Marylebone's attitude on this occasion was significant of things to come.

That the Commissioners were blameless in their early dealings with the parishes is evident from the tone of another letter of which they sent a copy to the Churchwardens and Overseers of each of them. The letter was signed by Rowan, but there is no record of what transpired at the interviews which followed:

21 August 1829.

The Commissioners of Police have the honour to state to you for the information of — of the Parish of — that in making arrangements for establishing the New Police they are desirous upon every occasion to consult the interests and accommodation of the several Parishes, and that there are some points which it appears to them desirable should be now discussed with the Parish of — in the plan they propose to submit to Mr. Secretary Peel for his final approval.

They beg to suggest that it may be found most convenient for this purpose that the Parish should depute some persons with whom the Commissioners may have the advantage of an early personal communication upon the subject.

In correspondence on the subject of clothing and equipment the name of Charles Hebbert appears for the first time, and it deserves

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mention in view of the valuable contributions which he made to the success of the police experiment. On July 27, a letter was sent to four clothing contractors : Mr. Pearce, Craig's Court ; Mr. Hebbert, 8, Pall Mall East ; Mr. Prater, 6, Charing Cross ; and Mr. Oliphant, 14, Cockspur Street :

The Commissioners of Police have to acquaint you that patterns of the dress to be worn by the Metropolitan Police Force may be seen at the Commissioners' room in the Home Office, Whitehall, at any hour between eleven and three o'clock on Tuesday and Wednesday next when you may examine the same, and you will be requested afterwards to state to the Commissioners in writing the terms upon which you would contract for supplying all or such of the articles as may be agreed upon for 500 or 1,000 men, specifying the difference in price if paid for in ready money or at six months' credit.

Three of the recipients appear to have been old-established army contractors. In this line of business, Charles Hebbert was apparently an upstart. On August 3, he was informed that his quotations for coats, trousers, greatcoats and boots were accepted : ' subject to a consideration of the length of time you will require to complete the number of suits that will be necessary '. His success in securing the order roused bitter complaints from his rivals, but he retained it, year by year, by cleverly providing free service in fitting and readjusting uniforms, and by organizing, without charge, a system of supply which effected an immense saving in expenditure. This arrangement made him indispensable to Wray and the Commissioners, and placed him well beyond the reach of competition by his army rivals who were unwilling to offer to the police, without charge, services for which they were paid in connection with their army contracts. Mr. Edward Moore, Piccadilly, secured the order for hats and stocks. Both he and Charles Hebbert fully justified their choice by the Commissioners, and retained their connection with the police for many years in the face of persistent, and often unscrupulous, attacks by rivals. The stories of Hebbert's tactics in securing and maintaining the permanence of his position, and of Moore's long and successfully-waged battle with his chief rival hatter, Christie, provide some welcome humorous interludes in the early records of police history. A Mr. Tatham, of 36, Charing Cross, secured an order for ' Sword Belts ', and a Mr. Parker, Holborn, supplied a thousand rattles, and a thousand batons which were marked with the words, *Police Force*. Beds, chairs, and other furniture for the station-houses were supplied by the Ordnance Department.

Another name which appears in correspondence for the first time in the summer of 1829 is that of John Fisher, the first medical officer who was appointed to the staff of the Metropolitan Police. He had been surgeon to the Dismounted Patrol, and his new duties

were at first vague and undefined, apart from those of examining recruits at headquarters and attending sick constables in every part of the police area. He lived at 21, Argyll Street. Like everyone else who was connected with the police establishment in the early years of its existence, his enthusiasm for its success alone enabled him to overcome the immense difficulties with which he found himself confronted on every side as the consequence of public hostility and Government parsimony.

By the middle of September preparations were sufficiently advanced to enable the Commissioners to plan the evening of Tuesday, September 29, as the date of the first appearance of the New Police in the streets. On the morning of September 26, the Force paraded in the grounds of the Foundling Hospital. The clothing and equipment suppliers were ordered to attend and to issue and fit the various articles which they provided. During the seven days prior to September 29, all ranks were on duty at the police stations and at headquarters, where they were given careful and final instructions regarding their street and court duties and the behaviour that was expected of them. A copy of a booklet which had been compiled by the Commissioners was issued to each man. The following extracts from it reveal the new and advanced theories and ideas of police functions and duties, which had been conceived and formulated :

It should be understood at the outset, that the object to be attained is the prevention of crime.

To this great end every effort of the police is to be directed. The security of person and property, the preservation of the public tranquillity, and all the other objects of a police establishment will thus be better effected than by the detection and punishment of the offender after he has succeeded in committing the crime. This should constantly be kept in mind by every member of the police force, as the guide for his own conduct. Officers and police constables should endeavour to distinguish themselves by such vigilance and activity as may render it impossible for any one to commit a crime within that portion of the town under their charge.

When many offenders are committed, it must appear to the Commissioners that the police is not properly conducted in that Division ; and the absence of crime will be considered the best proof of the complete efficiency of the police. In a Division where this security and good order has been effected, the officers and men belonging to it may feel assured that such good conduct will be noticed by rewards and promotion.

(*Superintendent*) He should . . . by a firm but kind and conciliating behaviour towards his men on all occasions make them understand, that while neglect of duty can in no case be passed over, every indulgence consistent with their general efficiency will be at all times shown to them. . . . He is responsible generally for everything relating to the police of his Division, keeping in

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mind that the grand object is the prevention of crime in every part of it.

(*Constable*) He will be civil and obliging to all people of every rank and class.

He must be particularly cautious not to interfere idly or unnecessarily in order to make a display of his authority ; when required to act, he will do so with decision and boldness ; on all occasions he may expect to receive the fullest support in the proper exercise of his authority. He must remember that there is no qualification so indispensable to a police-officer as a perfect command of temper, never suffering himself to be moved in the slightest degree by any language or threats that may be used ; if he do his duty in a quiet and determined manner, such conduct will probably excite the well-disposed of the by-standers to assist him, if he requires them.

In the novelty of the present establishment, particular care is to be taken that the constables of the police do not form false notions of their duties and powers.

The Commissioners realized ' the novelty of the present establishment ', but it is certain that neither they, nor Peel, nor the public realized fully the immensity of the task with which the new Force was faced and the menace of the obstacles which lay before it. Posterity has reason to bless their blindness, because it is doubtful if the patience, hope, and determination which achieved eventual triumph could have endured the consequences of clearer vision. The police were created for the purpose of preventing crime and mob disorder. London's power of producing savage, murderous mobs had lessened since the eighteenth century, but it was still formidable. Mob-control had passed from the hidden hand of City gangsterdom to that of the more clearly visible but equally dangerous extremist political agitator, whose power was deplored as much by his moderate colleagues as it was by Authority and ' well-disposed ' members of the public.

Crime in London in 1829 was rampant and beyond control. Since the eighteenth century, violent crimes had decreased, but Authority's concern was inspired less by the brutality of its manifestations than by the fact that laws of every kind were becoming increasingly unenforceable, and that indulgence in law-breaking by all classes in the capital was creating a chaos of social evils which was affecting the life of the whole community like a virulent disease. The evil effects of uncontrollable crime which were the product of unenforceable laws were not more formidable in the nineteenth century than they were in the eighteenth, but they were much more widely noticed, understood, deplored and feared, and the urgency of the need of dealing with them had become clear even to Cabinet Ministers.

The Bow Street Patrols had put an end to highwaymen, but not

to footpads, and were almost useless against thieves and house-breakers. The Runners were notorious as the upholders of a dangerous system of crime-condoning whereby the proceeds of thefts and embezzlements were returned in part to the owners in exchange for an agreement not to seek or prosecute the perpetrators ; the Runners being rewarded for their services as intermediaries by both parties. In their helplessness, the banks and influential business houses were supporters as well as victims of this system, and they feared the consequences to it and to themselves if the New Police were to be allowed to interfere with it. Under parish rule, which was almost the only form of local government known to London outside the City, the breaking of all the innumerable laws and bye-laws which had come into existence, in the course of centuries, for the regulation of trade and traffic of every kind had become a well-organized industry which was controlled by the corrupt parish Vestries, through the medium of the body of their equally corrupt colleagues and nominees, the parish deputy-constables and watchmen. The dismissal of these and their replacement by a force of New Police over whom the Vestries had no control threatened the existence of many sources of profit, and made inevitable a fierce and frenzied opposition to the police by all who participated in crime-profiteering.

In the chaos from which court procedure and the laws still suffered, in spite of Peel's reforms of the eighteen-twenties, the determination of the police to fulfil their functions as the instrument of law smoothly and purely made difficulties and embarrassments inevitable. There were no public prosecutors. In the presence of an array of skilful and hostile counsel, a jealous magistrate or judge, a police-hating jury, and venomous Press reporters, the task of a partially educated policeman-prosecutor seemed, and often was, impossible. The policemen frequently became the innocent victims of charges of assault or wrongful arrest, and were sent to jail. There were cases, also, in which they were returned there, on release, on account of their inability to pay the costs of the original trial which had been demanded from them. When prosecuting in important cases, the police were allowed the legal help of solicitors and counsel only after special appeal for it had been made to the Home Office by the Commissioners, and it was granted grudgingly, and sometimes meanly refused. Orderly control of traffic in the streets was not only almost non-existent ; it was not visualized by the public as a possibility. Proprietors of public houses, beer-shops, certain types of eating houses, gambling dens, brothels, disorderly boarding-houses and other vice establishments all profited in one way or another by their ability to defy the various laws and bye-laws which were issued by a host of petty and other authorities in efforts to secure order, and were sometimes designed, deliberately, to make confusion worse

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confounded. Before the creation of the police, the proprietors of vice-establishments, touts, prostitutes, and street-sharpers of every kind had succeeded in securing for themselves a safe and secure position which was beyond the reach of law. In spite of the removal of thousands of destitute children to the northern factories, London still harboured an army of them, and their misery and poverty kept a profitable industry of vice-exploitation in prosperous being. Police and Press records reveal many instances of the existence of child-corrupting organizations and 'kitchens' of young thieves, any one of which might have been the basis of the very mild description of one of them which was written for early Victorian drawing-rooms by Dickens, in *Oliver Twist*. Compared with some of the factual characters who are described in the records as amassing wealth by child-exploitation, Fagin was inoffensive and respectable. In 1829, in many parts of the town, the streets of London were an Augean Stables, the cleansing of which seemed possible only to super-human ability and effort.

If the police had been able to rely on the prompt and willing support of the public, their task would have been less severe. Not the least of their difficulties was their dependence on public support and the impossibility of securing it except by long and patient endurance of the impediment and frustration of public hostility. Although they had the occasional and intermittently-proffered support of individuals who enjoyed influence and authority, there was no class or section of the public which could be said to be friendly towards them. Criminals and the destitute who lived by petty crime resented the existence of the police, with good reason. The huge army of vice-traffickers and crime-profiteers were equally hostile. The sufferings of the working-classes made them receptive to the eager, anti-police propaganda of extremist Radical leaders whose revolutionary plans were threatened by the spectre of a mob-controlling police Force. Skilled labourers and artisans were mostly Radical in outlook, and were influenced against the police by the more temperate Whig and Radical leaders, who accused them of being the destroyers of individual and parish liberties. Shopkeepers, whether they were Radicals, Whigs or Tories, found ample reason in the new police-rate for disliking the police, because it seemed to be a new, specific parish tax, which was being arbitrarily imposed upon the parishes for a new, specific and unwarranted purpose, and the power of the parish authorities to exaggerate the injustice of this demand enhanced the ill-feeling against the police which it engendered among the middle-classes. Influential Whigs prated gloomily of the threat to liberty which the creation of the police established, and influential Tories who disliked Peel, of whom there were many, concealed the fact that they disliked the police solely because they

were Peel's creation by criticizing their behaviour and the details of their organization. Wealthy aristocrats of both parties resented the prospect of police interference with what they regarded as the right and privilege of their class to be independent of petty interference by any instrument of law. Church of England leaders, mostly Tory, were apathetic, or mildly resentful. Methodist leaders shared the Whig and Radical standpoints. Parish officials, beadle, discharged parish constables and watchmen, constables of the stipendiary magistrates' courts, Bow Street Runners, and firemen of the insurance companies, who all feared the police as men whose duties were an encroachment on their own means of livelihood formed an active and energetic hostile army. The magistrates were jealous of police encroachment on their executive rights and authority. The Army and the sailors of the Navy revealed an unjustified hatred of the police by frequent attacks on them in the streets, and were defended by officers who, too often, showed that they shared and probably encouraged the antipathy of their men. Tory ministers and Members of Parliament who supported Peel expressed approval of the police, but Peel was under a cloud in the eyes of his party, as the result of the successful passage of the Catholic Emancipation Bill and what was regarded as his betrayal of the Protestant Cause. He had few active friends who were prepared to express approval of his police in public. Soon after their establishment King George IV sent for the manager of Drury Lane Theatre one evening, on the occasion of a royal visit, and warmly commended him for having refused to allow the New Police to do duty inside the building. One of the first acts of the Commissioners had been to offer the services of the police to all the theatres. Covent Garden was the only one of them that did not flatly refuse the privilege.

An outline of the attitude of the public to the creation of the New Police and to the ideas which they represented can be seen in the columns of the London newspapers of 1829. At first, Peel's police proposals aroused strong but fairly reasonable criticism in responsible journals. *The Times* expressed dislike of the increase of powers of patronage which would accrue to Cabinet Ministers. It advocated the delegation to parish authorities of responsibility for all appointments to the police, with power of dismissal reserved in the hands of the Government. *The Times* became less critical at a later date. Like other newspapers it showed its willingness to publish charges and complaints against the police which were easily proved on investigation to be lies, but it published also, sometimes grudgingly, acknowledgments of error when the true facts were put before it. Few other journals were so just or so accommodating in their behaviour. Most of them used muddled reasoning which they made the basis mostly of criticism but, sometimes, of approval. An

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example of the confusion of thought which prevailed in editorial offices can be seen when, on April 18, the *Tory Standard* accused the *Whig Globe* of being :

alone in defending Mr. Peel's odious and dangerous Police Bill.

In a leader of April 18, the *Standard* announced :

Our great objection is to the principle of taking away from the people all control over a force which is to control the Metropolis—which may be augmented without limits—and over which neither the courts of law nor the houses of parliament are to have any ordinary authority.

This was a sound and reasonable line of argument in view of the novelty of Peel's police conception, but it ignored the fact of the total breakdown of local control of such police as were already in existence and, also, the immense sufferings which the inhabitants of the Metropolis had been enduring for a century as the consequence of this failure. Objection to central control of police by the Home Office was one of the few arguments against Peel's police idea which were reasonable in the circumstances of the time, and its sustained use ensured, a few years later, local control of provincial Forces. The peculiar circumstances of the Metropolitan Police Force required its retention as a Home Office organization, but the granting of local control of police to the boroughs and counties of Great Britain and its effect and influence on the sense of pride and civic responsibility of the inhabitants of individual localities were also necessities of the times, and they played an important part in helping the police to secure the goodwill of the public throughout the country. The citation of these facts does not answer the modern argument that the granting of local control has served its purpose, and that the disadvantages of its retention outweigh the advantages in organization and administration which would accompany the creation of a National Police Force under central control, in the altered circumstances of present-day requirements.

The criticism of the police by the *Standard* in 1829 was bitter and often fundamentally unsound, but it was sustained with logical reasoning which no other journal succeeded in emulating. The Radical Press, particularly the *Weekly Dispatch*, which had an immense circulation on Sunday mornings, indulged in venomous and scurrilous abuse of the police and avoided reasoned criticism. The *Whig Morning Chronicle* provided both criticism and praise of the police, and showed clear indication of its determination not to commit itself to a decisive verdict. It is an interesting fact that the fullest and clearest statement of the Whig argument against the police was made by the *Tory Standard*.

The *Standard* was undoubtedly correct when it stated, on April 16 :

The people for whose protection all this improvement is threatened are not the parties demanding it.

The subject disappeared from its pages for some time, but it was reopened vigorously in September when the dreaded day of the appearance of the New Police drew nearer. The Book of Instructions which had been compiled by the Commissioners provided material for fresh attacks. On September 25, the *Standard* referred to it as : *this long compilation of trumpery. This rubbish . . . lovers of a jest will find ample food for merriment.*

A long argument was developed in an effort to prove that the use of force in the form of police should be in the hands of the people, but subject, always, to the control of magistrates and juries. The writer continued :

Men, however prone to the graver reflections which seem to suit our times, will not fail to observe the great aptitude of the outline [of the Book of Instructions], with all its exact arrangements of subordinate responsibility beginning in mere mechanical obedience at bottom and ending in mere will at top FOR A PERFECT DESPOTISM.

The wording of a sentence in the police book which referred to the duties of a constable : ' He will be expected to possess a knowledge also of the inhabitants of each house ', inspired the *Standard* to assert, on September 28 :

The New Police is not similar to, but worse than, the gendarmerie (of France). It is professedly a corps of spies.

On the following day the Force was said to be :

wholly repugnant to the spirit of English law and to the theory of a free government.

The attack was continued almost daily during the first few weeks of the existence of the police. Readers were told on October 12 :

We would much prefer even an actual military police, with red coats and bright muskets . . . The profession of a soldier has something honourable about it. Soldiers would never be spies.

On December 7 came the assertion :

The thing is not—never was English.

In the meantime, on the evening of Tuesday, September 29, the New Police had appeared in their blue tail-coats and top-hats in the streets. They were watched, as they occupied and patrolled their beats along the pavements, by the curious, interested, but unfriendly and unwelcoming, gaze of their fellow-citizens. To the delight of many of these, one of the new policemen was seen to be uproariously drunk, and the gloomy forebodings of the bulk of the more prosperous inhabitants were not relieved when they read in their newspapers next day that he had been followed through the streets by a jeering and hallooing mob, to whom he had expressed his intention of finding and fighting ' all the watchmen in London '.

CHAPTER X

1829 - 1830

THE seriousness of the evil of drunkenness can be seen in the fact that the dismissals and resignations which were enforced for this offence during the first two years of the existence of the New Police exceeded in number the total strength of the establishment. On April 16, 1830, Rowan mentioned in a letter that drunkenness was : 'the crime that constitutes the greatest difficulty we have to deal with'. He would have been unable to endorse this view twelve months later, when more formidable difficulties developed. In spite of the large number of men who were found drunk on duty, and the value of this fact to hostile critics of the police, the vice soon proved itself to be only a minor cause of trouble compared with other difficulties which presented themselves as part of the problem of recruiting. Candidates for the police service appeared in almost unlimited numbers, but there was a permanent shortage of suitable men. An unforeseen annoyance was a flood of letters which the Commissioners received from people of influence in society, in politics and in the services, demanding the appointment or promotion of nominees who were wholly unsuitable for the posts which were sought for them. Some were men who had already been refused or dismissed, and were insolently trying to defeat the Commissioners with the weapon of titled protection. Most of the letters were written in terms which revealed that the possibility of the Commissioners refusing to comply with the demands which they contained was not contemplated by the senders, and that these were unable to believe in the existence of any rules which could not be waived at their request. The signatures included almost every name of social, political, and historical interest of the period. The Commissioners sent refusals which were, at first, suave and polite in tone. When this method roused indignation, they permitted themselves some touches of curt-ness and irony which did not lessen the large number of their enemies. Strict rules were in existence regarding standards of requirements for recruits and the qualifications necessary for the holders of higher ranks, and one of the most valuable inducements to recruits was the promise that all future promotions to the posts of sergeant, inspector, and superintendent were to be made from lower ranks on grounds of merit only. The Commissioners were faced with the alternative of fighting patronage and forbidding its existence in the Force, or permitting it to destroy their organization. They did not seek or realize their place in the vanguard of the war of People *versus*

Privilege which was then beginning, but their correspondence affords ample proof that they enjoyed the contest and their share in it. Titled recipients of their refusals wrote indignantly to Peel, but there is no sign that he ever took any other action than to pass the complaints to Whitehall Place. The Duke of Clarence, the Duke of Wellington, Lord Hill, Lord Fitzroy Somerset, the Speaker, and some dozens of famous, titled aristocrats were among the early recipients of the Commissioners' refusals in 1829 and 1830. One of these deserves quotation for another reason besides that of recording the terse style and manner of address of which the Commissioners were capable when circumstances required them :

WHITEHALL PLACE,

19 Dec. 1829.

The Commissioners of Police present their compliments to Lord Melbourne and beg leave to acknowledge the receipt of his Lordship's letter in favour of John Kinham for promotion to the rank of Sergeant of Police.

The Commissioners will be glad to attend to his Lordship's wishes should it appear that this man is deserving of promotion.

Rowan and Mayne may be excused if they were unable to foresee the possibility of a young man with the reputation of being a vapid and effete society loungeur becoming Home Secretary, and their immediate superior, within a year. In their characters, as revealed by their correspondence, there is nothing to suggest that foreknowledge of the event would have caused any alteration in the wording of their letter.

An accumulation of menacing troubles which overshadowed the seriousness of drunkenness and the difficulty of obtaining suitable recruits soon became visible. The police were attacked frequently by soldiers and sailors in the streets. There was constant friction between policemen and the firemen of the insurance companies, which originated in the firemen's resentment of police ability to be always first on the scene when fires occurred, and to be able, sometimes, to extinguish them, to save furniture, and to save lives. Policemen were frequently being assaulted by the coachmen and footmen of titled aristocrats, who were encouraging their servants to resist police attempts to control carriage-traffic, and many unpleasant incidents were occurring, at magistrates' courts and at Sessions, which were the consequence of the fatuity of many of the existing laws, of judicial jealousy of the police, and of a growing tendency on the part of juries who were hostile to the police to refuse to accept their evidence on the grounds of sincere or insincere belief that it must be prejudiced.

That the Commissioners did their utmost to avoid trouble with the army is made clear by a letter of October 18, 1829, which they

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addressed to the 'Officer Commanding, 10th Hussars':

The Commissioners of Police beg to enclose for your information a Deposition taken on Friday last before the sitting Magistrates at Queen Square relative to an affair in which some men of the 10th Hussars were concerned.

The sitting Magistrates were about to impose a heavy fine upon each of the soldiers, when the Commissioners heard of it and requested that the men might be handed over to their officers to be dealt with, instead of being punished by the Civil Power.

The Commissioners are very desirous on the one hand to prevent the existence of any animosity between the military and the police, and on the other, whilst they are endeavouring to introduce a strict discipline amongst the latter, it is necessary to show them that they will be supported in a correct performance of their duty; and they have no doubt you will on the present occasion take such steps as you may think will tend to the furtherance of these objects.

Another letter bearing the same date, and beginning 'My Dear Colonel,' was sent by Rowan to 'Colonel The Hon. H. P. Townshend, Commanding Grenadier Guards'. It refers to men of the 2nd Battalion Coldstream and 1st Battalion 3rd Guards who were concerned in an attack on policemen, and mentions the facts: 'One of the Police Constables was rather severely injured, and others had their clothing more or less damaged.' Letters written in this conciliatory tone had little effect on the underlying cause of the trouble, which was the belief held by officers of high rank that ill-feeling between troops and police should not be discouraged because it would be of value in times of unrest. In May 1830, Peel sent to the Commissioners some correspondence on the subject of a later fight which he had received from the military authorities. These letters have not been preserved, but the Commissioners' reply is available, and it shows the growth of ill-feeling:

WHITEHALL,

1 June 1830.

S. M. PHILLIPPS, ESQ.

SIR,

The Commissioners of Police have the honour to acknowledge the receipt of your letter of the 28th ult., enclosing by desire of Secretary Sir Robert Peel a letter from Major-General Lord Fitzroy Somerset, and a statement and letter from Col. Lord Saltoun on the subject of the affray which took place on the night of the 20th ult. between some soldiers of the 2nd Batt. Grenadier Guards and some constables of the Police Force.

With respect to that passage in Lord Saltoun's letter to the Military Secretary in which he says, 'and it has always therefore been my opinion that the soldiers are never given up to the Commanding Officer, except where there is some difficulty in making out the case at law'—if this be intended to apply to the Metro-

politan Police, the Commissioners have no hesitation in stating their conviction that his Lordship does the Police Force great injustice.

Instances are within the knowledge of the Commissioners in which the Police Constables have been seriously injured by drunken men of the Guards without a complaint against them in any quarter. By this forbearance they were acting according to the spirit of the Instructions given to them on that subject by the Commissioners—which Instructions are on record, and do not leave any doubt of the desire of the Commissioners to cultivate a friendly feeling between the two Services.

The Commissioners beg further to acquaint you, for the information of Secretary Sir Robert Peel, that having reconsidered the subject of delivering the Military up to their own officers . . . the Commissioners have now given instructions that if any future case should arise of a similar nature to that in question the soldiers shall be handed over to the Civil Power.

Trouble between police and marines at Greenwich was checked by tactful action taken by the Commissioners on August 3, 1830, on which date Mayne wrote the following letter to the Commanding Officer :

The Commissioners perceive with much regret that an unfriendly feeling exists between the soldiers of the Marines and the police at Greenwich, which may be attributed to the police having apprehended several of the Marines straggling from Quarters. The Commissioners in consequence take this opportunity to suggest that it is not advisable for the police to interfere in these cases, and that it should be made known that the reward for apprehending stragglers will not in future be paid to any officer of the police.

The lasting feud between police and firemen appears to have originated at a fire which occurred at Berwick Street, Soho, in July 1830. There had been minor incidents earlier, but on this occasion there was a fight. Details are not available, but both sides accused each other of obstruction. Mayne wrote to the Union and Hand-in-Hand Insurances Companies demanding an inquiry, and stating that the Commissioners' object was 'to prevent the recurrence of such unfortunate incidents'. Their frequency increased in later years.

Many of the titled nobility were already suffering the grievance of having had their nominees refused admission to the ranks of the police, and were not soothed by the police efforts to control carriage traffic in the streets. In July 1830, the Commissioners wrote to the Earl of Aberdeen, Lord Carberry, Lord Alvanley, and Lord Teignmouth, informing each of them that his coachman had assaulted a police constable, and offering to hold a private inquiry into the facts of each case as an alternative to procuring a warrant of arrest. To

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Lord Alvanley they wrote : ' a Police Constable, No. 60 of B Division, was severely injured in the knee by the coachman forcing through the line, and must remain a week longer in the Hospital before he will be able to resume his duty.' Lord Teignmouth was told : ' it appeared that your Lordship's coachman had endangered the life of one of the Police Constables, by driving against him, and forcing him between your Lordship's and another carriage.' Lord Carberry's coachman : ' struck the Police Constable several times with his whip, and knocked him between your Lordship's and another carriage.' All these cases were settled out of court by the tact and firmness of the Commissioners in insisting on the coachmen being sent to them and paying fines in compensation, and receiving reprimands from them in person at their headquarters.

A more troublesome case which occurred in July was that of a footman of the Earl of Kinnoul who struck a policeman with his fist. He was charged at Bow Street before Sir Richard Birnie, the Chief Magistrate. According to the Commissioners' report of the case to the Home Office, ' the charge of assault was not pressed in consequence of a suggestion from Sir R. Birnie to that effect, as the officers considered, but the officers insisted upon the investigation before the Commissioners'. Sir Richard Birnie's successful effort at interference is not explained, but it obviously annoyed the policemen whom it affected. Lord Kinnoul wrote to the Commissioners and demanded the immediate dismissal of two men whom he named. The Commissioners offered a full inquiry, and invited him to bring or send his servant to it. On the date on which it was held, the Earl weakly removed his servant to the country, but returned with him on the following day, and angrily repeated the demand for the immediate dismissal of the two named men. The Commissioners flatly refused it, and had the last word in the matter when the Earl complained to Peel. The interest of this incident lies in the persistence with which the Earl of Kinnoul called for the dismissal of the two policemen, not in support of justice, but as his personal right, in revenge for the insult to his dignity of their daring to lay hands on his servant.

Newspaper files of the last quarter of the year 1829 and for the whole period of the following year provide massive evidence of the problems and difficulties with which the police were faced in their efforts to fulfil the duties which had been too optimistically envisaged for them. To-day, when the functions, duties, and powers of a policeman are clearly defined for him in the case of almost all the common offences of the streets with which he may find himself confronted, it is difficult to imagine the chaos of law and of court procedure with which the police had to contend during the first years of their existence. It should be remembered, also, that the policeman

of the early eighteen-thirties was acting under the close, watchful scrutiny of a hostile public, among whom were innumerable enemies who were eager and anxious to make trouble for him, and to glory in his discomfiture. No difficulty was anticipated in the matter of people who were found drunk and disorderly or incapable in the streets. It was the duty of the police to arrest them, and there was an excellent law which compelled the police to bring all arrested persons before a magistrate as soon as possible. The efficient fulfilment of these duties by the police would have had the effect of paralysing their organization. There was neither accommodation available in which to keep, until they could be brought to court, all the inhabitants of London who were found drunk day by day, nor sufficient time for the higher officers of the police to attend court and institute proceedings. By November 1829, it was decided to give Inspectors and Superintendents power to discharge drunks on recovery, without taking proceedings against them, and the conferring of this privilege in the interests of administrative efficiency raised a fresh howl of rage from the public, and from the magistrates, against what was said to be the growing menace of police tyranny, and the sapping of the foundations of English law. These critics did not hesitate to point to the existence of drunk individuals in the streets as proof of neglect of duty by the police. The ability to discharge harmlessly drunk individuals immediately on recovery made an immense difference to the numbers of them whom the police were able to clear from the streets and thus effect a reduction in the extent of the nuisance.

Police difficulties in cases of assault were even more complicated. If a policeman saw an assault, he was empowered to make an arrest, but he was disallowed by law to take any action even when he found a bruised and bleeding victim lying at the feet of an obvious aggressor with a knife. In the majority of assault cases, the policeman was called to the scene after perpetration of the outrage, and the fact of his inability to make an arrest invariably infuriated the victim's friends and sympathisers. For this particular form of helplessness, the public and the Press blamed the police, and not the law, as they should have done. The police were not allowed by law to enter a public-house with the purpose of quelling a disturbance unless they were requested to do so by the proprietor. Prostitutes, criminal street-loafers, pavement-sellers outside shops, shopkeepers who blocked the pavements with their goods, housekeepers who pumped cess-pools into street sewers, beggars of every kind, and many other varieties of nuisance-creators were hedged-about and protected by a confusion of laws and bye-laws, varying from district to district and from street to street, and sometimes from one side of a street to the other, which stultified police action and often involved in grave

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risk of imprisonment for wrongful arrest or assault the policeman who dared to take action. It was remarkable that the appearance of the police in 1829 coincided with a sudden wave of concern and alarm on the part of the public regarding the prevalence of innumerable, long-established street offences and nuisances. The police were blamed loudly for not enforcing order. They did their best to do so, and were blamed promptly, and with equal loudness, for exercising tyranny, oppression, injustice and uncalled-for interference with individual rights.

All this criticism of the police had the effect, in time, of revealing not only what was occurring in the streets, but also the simple fact that the only cause of police inability to eliminate or diminish existing evils was the absence of clearly-specified laws regarding them. This truth silenced sincere but biased criticism, and made obvious the insincerity of critics who continued their attacks. The cases which the police brought before the magistrates with rapidly-increasing frequency were duly recorded in the Press, a large section of which was not so entirely hostile towards the police as were the consistently-vituperative, popular Radical organs. The Superintendent of C Division, Joseph Sadler Thomas, was a remarkable man who combined a unique flair for handling the susceptibilities of the Bow Street magistrates with a tactful and disarming manner towards police enemies of every kind. Scarcely a week passed during 1830 in which he did not appear at Bow Street, describe an intricate organization for purchasing stolen goods or for vice-exploitation of children, which had been discovered in his area, and ask the magistrates for summonses or warrants against the owners. After deep cogitation, the magistrates generally discovered that the evidence which Superintendent Thomas had brought to them was not of a kind which enabled them to comply with his request. The absurdity of this fact in itself was often an astonishing revelation which obliged the magistrates to deplore publicly the limitations which the law inflicted on them and on the police. It transpired, on many occasions, that the only authorities who had power to prosecute in the kind of case which Superintendent Thomas so frequently brought to light were the parish Vestries. Sometimes the magistrates referred him to them, with the result that he returned to the court a day or two later with the news that he was unable to persuade the Vestries to take action. All these conversations took place in court in the presence of reporters. Accounts of them were widely circulated by the Press, and must have had an extremely beneficial, educative effect on the public mind. Some of the most interesting features of Thomas's cases were his revelations of the wealth, cruelty, and effrontery of the principal characters concerned in them.

The sufferings of individual policemen from the vagueness and

obscurity of the laws would be incredible but for the record of them which appears from time to time in the Commissioners' correspondence with the Home Office. There were magistrates in London who lost no opportunity of browbeating and ridiculing policemen and of making their presence in court an excuse for criticizing and vilifying the police establishment, to the delight of the Radical Press, which welcomed and gave prominence to these outbursts. Worse sufferings were inflicted on the police in the higher courts. Early in 1830, a Sergeant Lacy, of C Division, saw a man strike a woman in the street, and arrested him. He was convicted and fined by a magistrate, but this fact did not prevent him from taking a case against the sergeant for assault, and securing, by a lavish employment of counsel, a verdict in his favour from a police-hating jury at Sessions. The sergeant was sent to prison for two months. The Commissioners wrote to Peel on July 19, asking to be allowed to reinstate him, in view of the injustice of his sufferings, and to give him his arrears of pay in full. Sergeant Lacy was more fortunate than some of his colleagues were at later dates. There are many letters from the Commissioners to the Home Office which state, baldly, instances of policemen having been sentenced to imprisonment unjustly on account of inability to pay for adequate defence of themselves, and of their being returned to prison, after release, for inability to pay costs of trials which they had incurred. The Commissioners were powerless to help these men, because there was no finance available other than the small Private Fund which consisted almost entirely of the proceeds of petty fines and gifts to the Force. For court expenses, the Commissioners were obliged to obtain the sanction of the Home Office on each occasion on which they were incurred, and this was a difficult task even when they were foreseen. On June 8, 1830, the Commissioners sent to Peel a list of court expenses with which policemen had been charged. The list is missing from the files, but the letter which accompanied it is revealing :

The Commissioners of Police have the honour to transmit to Secretary Sir Robert Peel a statement of the several cases in which the constables of the Police have been obliged to pay the necessary legal expenses of prosecutions in which they were bound by recognizance to appear.

In some of these cases the expenses were refused by the court, but it does not appear to the Commissioners that any blame was attributed to the constables ; in others the court has not the power by law to allow any expenses.

The Commissioners have to submit for the consideration of Secretary Sir Robert Peel that these sums be now repaid to the police constables out of the Police Fund.

The Home Office was usually accommodating while Peel was in charge of it, but a less pleasant atmosphere prevailed there when

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it came under the auspices of his Whig successors. In view of the risks of imprisonment and financial ruin which a policeman ran in making an arrest, it is surprising that he ever dared to take such action. The attitude of juries towards policemen is well illustrated by a Memorial which was presented by eight members of a Westminster jury in October 1830. It was inspired by the fact that some of their colleagues had dared to express appreciation of the police on the same occasion :

We the undersigned, being of the Grand Jury assembled at the Michaelmas Quarter Sessions of the Peace of the City and Liberty of Westminster strongly dissenting to a Resolution emanating from a part of the said Jury, do give our most decided dissent to that Resolution, being strongly of opinion that the said Police Force is in many respects unconstitutional and very inefficient and expensive, and requires the investigation of the Commons House of Parliament. We cannot in our protest refrain from remarking that two or three instances of the conduct of the new Force have come beneath our notice, during the continuance of our duties here, that have appeared in a very improper and arbitrary light, and which strongly urge us to the adoption of this course.

Regardless of difficulties and steadily-increasing hostility and dangers, the Commissioners quickly extended the police area to the full limit of the boundaries which were allotted to them by the Act of 1829. A first extension of seven Divisions was made in February 1829, and the full area was occupied by making an increase of four more in the following May. On completion, the Force consisted of seventeen Divisions which were manned by seventeen Superintendents, sixty-eight Inspectors, three hundred and eighteen sergeants and two thousand eight hundred and ninety-two constables. The strength of each Division was divided, roughly, into four 'Inspector's parties,' each consisting of four 'sergeant's parties' of nine men each, and the area of the Division was divided into eight Sections, each of eight beats. A sergeant had charge of eight beats ; one man from each sergeant's party being held in reserve. Unmarried men lived in Section Houses, which were leased for the purpose, and married men were allowed to live in homes of their own, subject to this permission involving no neglect of duties. Unmarried men paid for their lodging at the rate of one shilling weekly, which was deducted from their pay, but each Section House was given a free allowance of coal. With the official appointment of Dr. Fisher as Superintending Surgeon in January 1830, medical arrangements for the Force were organized with as much care as the limited finance at his disposal enabled him to devote to them, and he was allowed, later, to appoint Divisional Surgeons who were under his supervision.

He persuaded the Westminster Hospital to reserve a ward for the sole use of police patients.

The fact that each policeman wore his number and the letter of his Division on the collar of his coat originated a flood of letters from strangers to the Commissioners complaining of the behaviour of individual members of the Force. The Commissioners had the wisdom to see that the power of the public in this respect was a force which could be guided into useful and beneficial channels. Before their men had been on the streets for twenty-four hours, they realized that individual identities were concealed at night by the greatcoats, and they promptly ordered that the numbers should be worn on these also. The Commissioners welcomed all complaints, and even anonymous letters were made the subject of immediate inquiry. For dealing with signed letters, they soon evolved an interesting technique. A prompt and courteous reply was sent to the writer, thanking him for his communication, and offering him the choice of a court case before a magistrate or a private inquiry by themselves at police headquarters, at which he was invited to attend with his friends and witnesses. Complainants usually preferred the method of private inquiry to their appearance in a court with the consequent risk of expenses, and the Commissioners' manner of conducting the former soon made it popular among people who were sincere in seeking redress of grievances. The cold, stern justice with which headquarters' inquiries were conducted is clearly evidenced by some hundreds of reports of them which were sent to the Home Office on completion, recording the summary dismissal of constables, sergeants and even Inspectors for various offences with which they had been charged by members of the public. On the other hand, the Commissioners revealed themselves as zealous defenders of their men when charges were found to be frivolous or unfounded. Some time passed before the public and the Press realized fully the value and the justness of the system. The criticism that it threatened the foundation of British justice and the historic legal rights of Englishmen was answered by the fact that an inquiry by the Commissioners was not a substitute for court procedure, but an alternative which was willingly accepted by complainants against police injustice. In the course of time, the Commissioners' conduct of these inquiries was widely praised and commended. The sustained consistency of their fairness and impartiality, the simplicity and clarity of their findings, and the severity of their punishments when proof of bad behaviour made these necessary soon had the effect of placing their inquiries beyond the reach of all but unscrupulous criticism. The reports show clearly the Commissioners' undeviating pursuit of truth and justice and their consistent disregard of compromise and the dictates of expediency.

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During the last quarter of 1829 and throughout the year 1830, the fierce hostility of the parishes towards the New Police increased in intensity, but did not reach its climax until a later date. The unchecked evil of the Select Vestry system was an acknowledged scandal. The Vestries had secured for themselves an ability to indulge in corruption and uncontrolled expenditure which were beyond all power of control either by central authority or by the parishioners. Most of the hostility which was shown towards the New Police, and most of the criticism of them and the attacks on them, both physical and verbal, were inspired, influenced or encouraged by the parish Vestries. Whether the members of these were under the domination of Radical or of Ultra-Tory influences, they forgot their political absorptions and animosities, and made common cause in seeking the disbandment of the police and the recovery of the powers of which the creation of the police had deprived them. With some, the motive of hostility was the police-rate only. Others were moved, more frenziedly, by the loss of the profits of corruption, and by the prospect of further losses which the established success of the police as an institution would make increasingly inevitable. The crime-profiteering members of the Vestries knew that they had little time to lose if they were to succeed in disrupting the police experiment.

In 1831, the scandal of Vestry corruption together with the prevailing, mystifying confusion of political tactics at Westminster enabled John Cam Hobhouse to secure the passage through Parliament of 'An Act for the Better Regulation of Vestries and the Appointment of Auditors,' which permitted parishes to substitute elected Vestries for the old 'Select' variety. In most of the London parishes, fear of Radicalism was a stronger force than dislike of corruption and extravagant expenditure, and the permitted change was adopted only in a few localities. Of these the most notorious examples were St. Marylebone and St. Pancras. They passed immediately into Radical control and acted as a warning to property-owners elsewhere. Hostility towards the police was more active in Marylebone than in any other parish in 1829 and 1830. When it came under Radical control and guidance it assumed leadership of a sustained and co-ordinated attack on the police by the parishes which became increasingly formidable in later years.

The suave and tactful wording of the Commissioners' letters to the parishes was always beyond criticism, but that of the documents which were composed by the Government's legal advisers giving notice of assumption of control by the police and demanding payment of police-rate might have been less aggressive in the circumstances :

To the Overseers of the Poor of the Parish of — in the County of — ; and to all and every the Watchmen and others of the

Night Police appointed in and for the said parish and to all others whom it doth or may concern

We the undersigned, Justices of the Peace appointed under and by virtue of an Act of Parliament passed in the tenth year of His present Majesty's reign intituled 'An Act for Improving the Police in and near the Metropolis' do hereby give you notice that in pursuance of the said Act of Parliament a new Police will be ready to undertake the charge of the said Parish on the — day of — next; upon and after which said — day of — next the night watch and other Night Police appointed within the said Parish previously to or independently of the said Act of Parliament will be discontinued.

Given under our hands this — day of — in the year of our lord one thousand eight hundred and —.

C. ROWAN.

RICHARD MAYNE.

To the Overseers of the Poor of the Parish of — in the County of —.

We, Charles Rowan and Richard Mayne, Esquires, Justices of the Peace of the Counties of Middlesex, Surrey, Hertford, Essex and Kent, and of all the Liberties therein, appointed under and by virtue of an Act passed in the Tenth Year of His present Majesty's reign, intituled 'An Act for Improving the Police in and near the Metropolis,' do issue this our Warrant to you with the approbation of The Right Honble. Sir Robert Peel, Bart., one of His Majesty's principal Secretaries of State. And we do hereby command you, out of the Money collected for the relief of the Poor in the said Parish to pay the Sum of — for the purposes of the Police, under the said recited Act, or else to levy the said last mentioned sum as a part of the rate for the relief of the Poor in the said Parish such Sum being at the rate of — Pence in the Pound on the full and fair annual value of all property rateable for the relief of the Poor within your said Parish as such value was computed according to the last valuation acted upon in assessing the County Rate. And we command you to pay over the said Sum of — to John Wray, Esquire, Receiver for the Metropolitan Police District, at his Office, No. 4 Whitehall Place, Westminster, within forty days after the delivery of this our Warrant to any one of you. And hereby take notice, that if the said Sum be not paid to the said John Wray within that time, you and each of you will be liable to be proceeded against, under the provisions of the said recited Act.

Given under our hands at Westminster the — day of — 183—.

R. PEEL.

C. ROWAN.

R. MAYNE.

The issue of the warrant demanding payment of the police-rate was answered by many angry letters, some of which were addressed

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directly to Peel. Most of the Vestries sought refuge in excuses regarding their inability to pay the sums demanded from them, and some expressed defiance openly. Others called Parish Meetings, passed resolutions, and forwarded these to Peel or to the Commissioners. The following resolutions from the parish of Hampstead illustrate the mildest form of protest that was received :

It is the opinion of this Vestry that the system of the New Police as at present established at Hampstead is unnecessary and oppressively expensive.

That this Vestry recommend that a Deputation wait upon the Secretary of State for the Home Department to represent the unnecessary application of the Metropolitan Police to this Parish, as at present there is not wanted more vigilance than our former system of watching produced under our local Act of Parliament. And as it encreases our burthen of Taxation by upwards of Eleven Hundred Pounds per annum they humbly request the same Police may be withdrawn at the end of the present year.

In November 1830, when these resolutions were adopted, the increasing number of burglaries in Hampstead was already proving the Vestrymen's assumptions to be unfounded. One of the most common forms of resistance to the Commissioners was the dispatch to them, in reply to their Warrant, of a demand for full details of the strength, organization and cost of the New Police in the parish from which payment had been demanded. The following is a typical example of the Commissioners' answer to such demands, which were received from most parishes in the police area :

ROBERT WATMORE, ESQ.,
Vestry Clerk,
Parish of Lambeth.

5 October 1830.

SIR,

The Commissioners of Police have to acknowledge the receipt of your letter of the 4th inst., applying for information by the direction of a Committee of the Vestry of the Parish of Lambeth upon the total number of the persons belonging to the Metropolitan Police stationed in Lambeth Parish, their relative rank, the number on duty during the day and night, and if any other designations be given to the Metropolitan Police, together with copies of general and local orders, and returns of pay and allowances to the different ranks, and in reply to acquaint you that it has been considered advantageous to the Public Service, upon all occasions, to withhold such detailed information.

The Commissioners request you will communicate to the Committee of the Vestry of the Parish of Lambeth that the Police Divisions have been formed, as well as the sections and beats of the constables, without reference to Parochial boundaries, and in some instances parts of the same Parish lie within three different Police Divisions.

There are Eighty-Eight separate Parishes and Places within the Metropolitan Police District, and in several of the Parishes many Boards and Trusts connected with the former system of Nightly Watch, and to give the same detailed information respecting the distribution of the Police Constables to all these different Bodies would seriously interrupt the important duties of this office.

The Commissioners would have endeavoured to satisfy the different Boards and Trusts from which applications have been made upon this subject by stating the number of Police Constables ordinarily employed at each place, but it was considered that such a statement would not convey a fair representation of the protection afforded by the Police to any particular place, as each neighbourhood is benefited by the watch kept around it, and it is to be recollected, that the efficiency of the police must arise in great part from the connection and co-operation of the entire force throughout the Metropolitan Police District, that their operations both by day and night are combined and so directed as it is calculated may tend best to the security of every point in the District, and alterations to a certain extent are constantly made in the distribution of the Police Force, both with respect to the mode of performing the duties, and the numbers stationed in particular places.

The Commissioners have given the fullest consideration to every representation made to them as to stationing the Constables, and complied with the wishes of each neighbourhood as far as seemed consistent with the general security of all. When any application on this subject has been made which could not be complied with, the Superintendent of the Division has been directed to see the party making it, in order to ascertain whether from any facts within the knowledge of the party the Police Constables were not effective at the place, or if from local circumstances any change had become desirable.

The Commissioners have in conclusion to state that there are no men in the Metropolitan Police under any other designation than Superintendents, Inspectors, Sergeants and Police Constables.

To a similarly worded letter from the Commissioners, the Vestrymen of Christ Church, Surrey, replied briefly and rudely, on September 11, 1830, that they would not pay the police-rate until the information which they had demanded had been supplied. Threats of this kind were loudly expressed, but they were never fulfilled. When necessary, the Commissioners appealed to the Home Office, and letters warning Overseers of the initiation of proceedings to distrain on their goods invariably secured prompt payment of sums which were overdue.

During the year 1830, Vestry meetings and open meetings of parishioners at which resolutions were passed in criticism of the police became increasingly frequent, and were prominently reported in the Press. Pamphlets attacking the police were widely circulated

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from hand to hand. The following example was believed to have emanated from Marylebone, and it was described as having been distributed in the streets by 'a man of gentlemanly exterior (although smoking a cigar).' It is endorsed with the words : '*Dear Phillipps, Here is another proof of the necessity of a clear, detailed and authorized explanation in the public Papers of the Metropolitan Police, and in so far as Rates are concerned. We are run down by the Press when we have truth completely on our side. R.P.*'

The opening sentences refer, obviously, to the Commissioners' system of dealing with complaints by holding private inquiries :

THE NEW POLICE

Parishioners—Ask yourselves the following questions :

Why is an Englishman if he complains of an outrage or an insult referred for redress to a Commissioner of Police ?

Why is a Commissioner of Police delegated to administer Justice ?

Why are the proceedings of this new Police Court *unpublished* and *unknown* ? And by what Law of the Land is it recognized ?

Why is the British Magistrate stripped of his power ? And why is Justice transferred from the Justice Bench ?

Why is the Sword of Justice placed in the hands of a Military Man ?

Consider these constitutional questions, consider the additional burthen saddled on you—consider all these points, then UNITE in removing such a powerful force from the hands of Government, and let us institute a Police System in the hands of the PEOPLE under *parochial* appointments.

UNITY IS STRENGTH

Therefore,

I. Let each Parish convene a Meeting.

II. Let a Committee be chosen, instructed to communicate with other Parishes.

III. Let Delegates be elected from each Committee to form a

CENTRAL COMMITTEE

To join your Brother Londoners in one heart, one hand, for the
ABOLITION OF THE NEW POLICE

CHAPTER XI

1829 - 1830 (*continued*)

THE last quarter of the year 1830 provided the New Police with their first experiences of serious London riots. During the year, demand for reform and, particularly, for Parliamentary Reform was stimulated by the July revolution, in Paris, which secured the overthrow of Charles X and the substitution of the *bourgeois* king, Louis Philippe. To the British public it offered proof that a revolution could effect reform without loss or damage to owners of property, and that it need not necessarily reduce the State to anarchy. In France, the political power of the aristocracy had been exchanged for the rule of the *bourgeoisie* by action taken by the workers. This fact made an immense impression on the minds of the middle-classes in England, and it is probably the basic explanation of the temerity shown by the Whigs when they risked revolution in 1831 and 1832 in order to expose the bluff of Tory opposition to their Reform Bills.

In August 1830 the Belgians had asserted independence by rising and driving out the Dutch garrisons which occupied their country. Wellington and the Tories disliked both the French and the Belgian movements. The death of George IV and the accession of William IV necessitated an election, and a new Parliament assembled in November in an atmosphere of political excitement which was intensified by the King's Speech of November 2. It contained a sentence expressing disapproval of the action of the Belgians, and made no mention of Reform. In the subsequent debate of November 3, Wellington gave an astonishing exhibition of the peculiar political blindness to which he was periodically prone, and claimed that the system of representation in England possessed 'the full and entire confidence of the country.' It is not surprising that this flat and incredibly stupid contradiction of an obvious fact brought about the prompt defeat of the Government in a vote on the Civil List in the House of Commons, with the result that Wellington resigned on November 15. After many years in the wilderness, the Whigs found themselves at last in power under the leadership of Earl Grey, and pledged to the immediate introduction of measures for securing the Reform of Parliament. Viscount Melbourne became Home Secretary in place of Peel.

In the meantime, from November 3 onwards, mobs were out in the streets of London, roused by Radical extremists, and swollen, as usual, by all the riff-raff of London's underworld. On November 9, King William was due to attend the Lord Mayor's banquet at the

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Guildhall. On the 6th, the Mayor-Elect, John Key, wrote to Wellington informing him that a set of desperate characters intended 'to make an attack on His Grace's person on his approach to the Hall,' and suggesting that he should come 'strongly and sufficiently guarded'.¹ In conjunction with other evidences of unrest and of public alarm in London, this letter decided the Government to cancel the King's visit to the City. In the House of Lords the Duke announced that he did not wish to become 'the cause of any degree of tumult in a procession where their Majesties were to appear,' and that the Government 'considered it their duty to recommend to His Majesty that he should postpone his visit to a future occasion.'

The extraordinary weakness of the Government on this occasion has been noted by many historians who have overlooked the extremely interesting explanation of the cancellation of the king's visit which was given to the House of Commons by Peel. He said that information had reached the Home Office, from a variety of quarters, which convinced Ministers that there was every probability of a tumult taking place if the procession was persisted in, and he continued :

'Any such attack must be accompanied by riot ; and the attempt to suppress such riot by force when the streets were filled with women and children must be accompanied by consequences which all of us must lament. That, however, is only one of the causes which I have for believing in the possibility of such an attempt at riot taking place. Every one is aware that there exists in the public mind considerable excitement against those authorities which have been appointed under the sanction of the House, to maintain the public peace—I allude, of course, to the body which is known by the name of the New Police. In the course of Saturday and Sunday, the most industrious attempts were made in various quarters to inflame the public mind against the New Police. Thousands of printed handbills were circulated for the purpose of inflaming the people against that portion of the civil force which is intrusted with the preservation of the public tranquillity. Those were not written papers drawn up by illiterate persons and casually dropped in the streets, but printed handbills not ill-adapted for the mischievous purposes which they were intended to answer.'³

The following are examples of the type of pamphlet to which Peel referred :

Liberty or Death ! Englishmen ! Britons !! and Honest Men !!!
The time has at length arrived. All London meets on Tuesday.
Come armed. We assure you from ocular demonstrations that
6,000 cutlasses have been removed from the Tower, for the use

¹ *Annual Register*, 1830, p. 116.

² *Annual Register*, 1830, p. 116.

³ *Annual Register*, 1830, p. 158.

of Peel's Bloody Gang. Remember the cursed speech from the Throne !! These damned Police are now to be armed. Englishmen will you put up with this ?

ENGLISHMEN !

You have let a good opportunity escape you. On Tuesday last you ought to have begun that which the BRAVE FRENCH did in the latter end of last July. Are you satisfied with things as they are ? No, you are not ; but you shrink from even the chance of receiving a few honourable bruises or wounds in defending your rights, your liberties, and your once patriotic name. You say you cannot get any ARMS ; I say, *get them as the French did* ! You are afraid of the Soldiery ; I tell you they will not, DARE not, and could not fire upon us their brothers, their countrymen, and their relatives ! Now, what surprises me most is that you seem afraid of those MERCENARY, DAMNABLE, VILE WRETCHES, PEEL'S BLOOD-THIRSTY GANG. From them we can expect no mercy, for their nature, like that of their founder, is base, blood-seeking, and villainous ; but what is their numbers ? Why, from 3 to 4,000 ! What is that compared even with one-hundredth part of the male population of London ?

Remember what the French and the Belgians have done ! And what a pitiless, helpless, and cowardly people we seem. One hour of true liberty is worth ages of slavery ! Consider, is it not more praiseworthy to meet a honourable death in defending your rights, than quietly die of starvation. Starvation stares you in the face. Your wives, your families are starving, while your oppressors are rolling in luxury and wealth. Who began the riots on Tuesday ? PEEL'S BLOOD-THIRSTY GANG. You are not Englishmen if you suffer your heads to be wantonly broken by that BLOODY GANG.

Birmingham, Warwickshire, Kent, Essex, Sussex, etc., are coming to assist us.

Whatever you do, GET ARMS ! BE FIRM, and the cause of Liberty will Triumph !!!

In other similar effusions, the public were assured that the creation of the New Police was part of a plot to put the Duke of Wellington on the throne. The effect of these pamphlets and of rumours and of the cancellation of the King's visit to the City can be summarized by a quotation from the *Annual Register* :¹

Men hastened to purchase arms, and to secure the fastenings of their houses, as if the banner of rebellion had been actually displayed in the streets. On Monday, Consols fell three per cent in about an hour and a half ; the public thoroughfares were choked with busy crowds anxiously enquiring the extent, the shape, the locality, of the threatened danger, which seemed more terrible from its mysterious uncertainty. . . .

On Monday, the Lord Mayor officially declared the postpone-

¹ 1830, p. 158, Chron.

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ment of his own procession and the usual civic entertainment. This considerably increased the excitement. The prevailing rumour was, that it was intended that the procession should, on its way to the Guildhall, have been suffered to pass unmolested, but that, in the evening, the passage of Temple-bar, and the bridges, should have been barricaded, the gas-pipes cut off, and under the cloud of darkness, an indiscriminate plunder of the city take place.

Fiery oratory by well-known Radical extremists at meetings at the Rotunda, Blackfriars, was followed by a parading of the streets by mobs, and clashes between them and the police, during the evenings between Tuesday, September 2, and Monday, September 8. The police were without experience of large-scale handling of mobs, and they had evolved no clearly-defined plans or tactics. They made the mistake of taking up positions in line on both sides of a street along which a mob was approaching, or of assembling in a loose body at a street-corner. They awaited attack by a mob, and then defended themselves. The fighting which followed was prolonged, and the casualties which the police suffered were severe. The baton charge when it was invented was found to require infinitely less expenditure of force in securing the dispersal of a mob, and to involve infinitely fewer casualties.

The fact that the inventor of the baton charge was Francis Place, the feared, hated, clever, and intriguing Radical tailor of Charing Cross, is an item of history which is both interesting and important. Place appears to have been, without exception, the only man in England in the eighteen-thirties who had the imagination to understand and appreciate fully the value of the police idea, and to visualize the possibilities of its future evolution. Not even the Commissioners or Peel were his equals in this respect. Of all the 'firebrands' of the Left, he alone had the vision and honesty to realize and proclaim the advantages of the baton as a substitute for the musket and the sabre, and he welcomed the creation of police as providing ideal machinery for compelling observance of law, not only by his extremist colleagues in the eighteen-thirties, but by all classes, in the future, in the Benthamite Utopian republic for which he hoped and planned, tirelessly, throughout his life. His intense dislike of the Church and the throne as institutions and of the powers of the aristocracy was not less than his dislike of some of the riot-instigating revolutionaries among his colleagues. Although he hated and despised Peel, he regarded the establishment of the police institution as a welcome and constructive contribution to his republican plans. He made friends of Rowan and Mayne, and attempted to improve their political education, on lines which he thought worthy of them, by lending them books. He made a friend,

also, of Superintendent Thomas, who used to visit him at Charing Cross. He was moved by police sufferings at the hands of mobs during the week following Tuesday, September 2, and he wrote an interesting account of his share in reducing them :

I advised Mr. Thomas not again to wait until his men were attacked, and then, when they had been maltreated and bruised, to take a few vagabonds into custody ; but when he saw a mob prepared to make an attack, to lead his men on and thrash those who composed the mob with their staves as long as any of them remained together, but to take none into custody ; and that if this were done once or twice, there would be no more such mobs. On the 9th November a large mob gathered in the City and sallied through Temple Bar, armed with pieces of wood from a fence in Chancery Lane, for the purpose of beating the police. My advice was followed. The police retreated up Wych Street, and collected to about sixty men in Catherine Street, from whence they sallied and beat the mob before them to Temple Bar. This at once put an end to all rioting ; no one was killed, no limb was broken, but many were bruised and many heads were broken ; but there were no more mobs.¹

The riots of Tuesday, November 9, were the most severe of the sequence, and they seem to indicate that there had been reasonable grounds for the cancellation of the king's visit. The police were called out early in the morning, and they flanked the pavements on the Westminster side of Temple Bar in double rows. It is an astonishing fact that City jealousy prevented them from passing through the Temple Bar gates in any circumstances, although thieves, prostitutes and other bad characters were allowed free passage. The City side of the gates was a sanctuary from which law-breakers of every kind sallied forth into Westminster, and to which they fled instantly when they were seen and detected in crime by the New Police. The City still maintained its old, useless system of Ward and other constables and Night Watchmen which was as absurd and corrupt and ineffective as that of the parishes in the police area had been before the year 1829. It was the custom of Londoners to gather nightly, in 1830, to watch with amusement the ebb and flow of the tide of criminals at Temple Bar and the exciting chases which accompanied it. The City dignitaries remained adamant in their ruling that the New Police were not allowed to cross the boundary, in spite of the fact that the absurdity of the nightly situation in the Strand had roused some of the reputable organs of the Press to censure the Aldermen for their stupidity.

The incident on the evening of Tuesday, November 9, to which Place referred originated in the gathering of a huge mob within the gates of Temple Bar. The pieces of wood with which they armed

¹ *The Life of Francis Place*, by Graham Wallas, p. 248, note.

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themselves were obtained from the Public Record Office building in Chancery Lane, which was then under construction. With cries of 'No Peel!' 'Down with the Raw Lobsters!' the mob sallied forth at half-past five, and rushed up Catherine Street and other thoroughfares. Near Charing Cross, a strong body of police of E Division made what appears to have been the first baton charge, and the mob scattered, and were chased back to, and through, the gates at Temple Bar.

The police were unable to follow, but they dared to close the gates; an act which roused the indignation of Mr. Brown, the City Marshall, who was present. To the delight of the mob and to the accompaniment of loud cheers, Mr. Brown solemnly reopened the gates with his own hands. His action was interpreted by the mob as an invitation to make another charge through the gates against the police. Mr. Brown's personal courage was as formidable as his respect for his own and the City's dignity. He tried to stop the mob, and was promptly hit on the head and knocked down. A series of rushes by the mob and counter-charges by the police followed, and the former eventually remained behind the gates and contented themselves with reviling the police and stoning them from this position.

There were riots on September 9 in Spitalfields, Whitechapel and at Bethnal Green, and a mob of between four and five hundred in number appeared in the West End in the course of the evening and proceeded along Piccadilly, 'in a smart trot', in the direction of Apsley House, the residence of the Duke of Wellington, shouting slogans against him and Peel and the police. A sudden baton charge at Hyde Park Corner by a force of police of D Division scattered the mob in all directions, but not before some damage to windows and buildings had been inflicted.

Although the first fifteen months of their existence provided the police with many unpleasant experiences of troubles which were unforeseen and of difficulties which were foreseen becoming problems which seemed insoluble, incidents occurred throughout the period which encouraged the Commissioners and gave them solid grounds for confidence. Their men had clearly revealed their ability to handle and disperse riotous mobs without the need of military assistance, and this fact alone had justified the existence of the police, although the public were not yet prepared to express appreciation of it. An increasingly large number of letters was arriving at Scotland Yard from individuals who were inspired, by incidents which they had witnessed, to express appreciation of the good conduct and bravery of policemen in the streets. Such letters formed a small number of all that were received, but their effect in giving encouragement to the Commissioners is made clear by the warmth of their replies, and the marginal notes and remarks which they pencilled on some of the

letters which were anonymous. The following are two examples of these welcome communications :

I hope it is not your intention to listen to the complaints of the New Police. There never was a wiser regulation, or one that has done more good, to my certain knowledge. They have cleared the streets of many nuisances and are a very ill-used lot of men.

A. CITIZEN.

I take the liberty of stating that I have under my charge some hundreds of houses in the vicinity of town, and that previously to the establishment of the New Police there were constant depredations of lead from the gutters, lead water-pipes, brass cocks, and, where the houses were empty, of shutters, sashes, palings, etc., all of which system of depredations since the establishment of the New Police has ceased.

Yours, etc.,

JAMES MITCHELL.

Secretary to the British Annuity Company.

In October 1830, at the close of the Surrey Sessions, the Grand Jury presented a Memorial, which was signed by all the members, expressing 'their approbation of the conduct of The New Police in all cases which have been brought under their consideration'. Even in the columns of the Press there were some signs of a change of view. *The Times*, which had at first been critical of the police and had advised a return to parish control of them, had thundered heavily, on several occasions, against the unjustified abuse to which the police and the police institution were being subjected by other journals. *The Times* had voiced, also, and deplored, various police grievances, such as the habit of jealous magistrates of making policemen wait at the courts all day for summonses for which they had applied after and before a night of duty in the streets. Prominence had been given to reports of individual bravery shown by policemen, and of cases of hunger and destitution which were discovered by the police and relieved by them, often by private subscription among themselves, in the absence of any authority from whom other relief could be sought. *The Times* was not alone in displaying a tendency to approve and to criticize the police without bias. On November 4, *John Bull* made editorial confession that it was no longer an enemy of the New Police. On the other hand, all newspapers were reporting accounts of the hostility of crowds towards individual policemen, and of attacks on them which occurred almost daily. On November 4, the *Herald* reported the imposition of a fine of five pounds on a man who had been proved guilty of a brutal assault on a policeman, and called the attention of readers to the fact that this was the severest penalty which had ever been imposed by a magistrate for this kind of offence. It was the habit

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of the disgruntled magistrates of London to refuse to commit to Sessions prisoners who were guilty of maiming a policeman, and to discharge them after fining them small sums ranging from five to twenty shillings. In 1830, there were at least two instances of a policeman being thrown into the Thames by a small mob, and there were many instances of stabbing and brutal maiming. Many of the victims were incapacitated for life, without pension, and two of them, at least, died as the result of their injuries.

After the November riots, many members of the titled aristocracy including the notorious Marquis of Hertford, condescended to express a suddenly-awakened appreciation of the police by forwarding small sums of money for distribution among them by the Commissioners. The motive was purely selfish and despicable, and it was inspired by consciousness of no other merit of the police system except the fact that it was providing security for the persons and property of the donors. The Commissioners had forbidden the acceptance of financial gifts by any member of the Force without their express permission, and they allocated all monies received on this and other occasions to a Private Fund for the relief of men injured in the course of their duties. It was never large enough to effect any marked reduction of the prevalence of the distress and destitution which their injuries so often occasioned, and the grudgingly-granted small awards and gratuities which the Home Office dispensed in response to continuous appeals from the Commissioners were similarly ineffective.

CHAPTER XII

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THE new Home Secretary's attitude towards the Metropolitan Police and his behaviour in his relationship with the Commissioners were fully in harmony with what is known of his personal character. Lord Melbourne was courteous, affable, and helpful, so long as the rulings for which the Commissioners asked him were concerned with matters of routine or the internal organization of the establishment, and did not threaten increased expenditure. He became sulky and irritable when asked for decisions which were likely to affect current political controversy, and he showed himself capable of being extremely unpleasant and deceitful when the dictates of party policy involved him in the task of reconciling the Whig Government's urgent need of maintaining police efficiency with demands for popular control of the organization, which were likely to destroy it.

Melbourne deserves sympathy on account of the fact that he was obliged to carry on his own shoulders, as Home Secretary, the heaviest part of the burden which fell on his party as the consequence of its earlier attitude towards the repression of disorder. For several decades, the Whigs had accused and reviled the Tories, with unquestionable justness, for the brutality and inhumanity of their treatment of rioters both individually and in the mass. The Whigs had been active, also, in demanding and securing reform of the criminal laws and a reversal of the policy of increasing the severity of legal punishments. The efforts of the Whigs in this direction are wholly creditable, but they were guilty of the fatal and unfortunate error of having consistently opposed the police idea and the efforts of the police reformers. In view of their record as opponents of the creation of a police Force, the support given by the Whigs to the Police Bill of 1829 was even more dishonourable and discreditable to them as a party than it was to Parliament as a whole. It is obvious that they were not converted to the police idea, and that they were thinking only in terms of party bargaining. Their error in opposing the police idea and their sustained, just, and consistent attacks on the Tories for the brutality of their methods provided the latter with a formidable argumentative weapon. They said that there were no other means except the use of troops and severe legal punishments by which internal order could be maintained, and prophesied that the Whigs would be obliged to use them. When the Whigs denied this charge, the Tories assured the country, loudly, that the advent

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to power of a Whig Government would make revolution and anarchy inevitable.

The Whigs' accession to power in 1830 was promptly followed by a severe outbreak of agricultural riots and rick burning in the Southern and Home counties, and the Tories had the satisfaction of seeing Melbourne adopt methods of repression which were as severe and brutal as any of which they had been guilty. The local success of the humane methods of the New Police in their handling of the London riots of November 1830, and the remarkable demonstration of their ability to maintain order in the capital without the need of sabre-charges and volley-firing by troops were facts which Whig ministers welcomed with delight which they did not dare to express in public. In face of the imminence of intensified riots and unrest throughout the country, they failed, for some years, to see that the local value of the police Force was capable of national adaptation. They knew that their party followers, almost to a man, were clamouring for disbandment of the police. They were aware, also, that the police experiment was a Tory conception, and that its extension and further success would bring credit to the Tories, to the detriment of Whig influence with property owners among the middle-classes. Little imagination is required for an understanding of the resulting attitude of successive Whig Home Secretaries, Melbourne, Duncannon, and Russell, towards the police of London. The Whigs needed, but feared, the success of the police, and could not make up their minds whether to encourage and expand them, or to frustrate, repress, and, perhaps, disband them.

During the first few years of Whig control of the police there was no consistency of policy shown towards them. The Commissioners were deprived of the confidence, friendship, and support which had been given to them by Peel, and for these were substituted a daily consciousness of the unreliability of ministerial support, daily expectation of affronts and rebuffs, and constant awareness of the existence of petty and unscrupulous intrigues against them. The Whig Home Secretaries cannot be accused of consistently withholding support from the Commissioners, but they exacted for it a high price by making them the outlet for Whig dislike and jealousy of a Tory conception, and for the necessity, which was enforced on the Cabinet by the circumstances of the times, of having to support the police and maintain them in being, in opposition to the demands and wishes of party followers.

The permanent Under-Secretary who was the principal link between the Home Secretary and the Commissioners was Samuel March Phillipps, a barrister who received his appointment in 1827, at the age of forty-seven, as the result of having acquired a reputation as a legal writer by a book entitled, *Treatise on the Law of*

Evidence. He was a warm supporter of the Commissioners when Peel was Home Secretary, but he changed his attitude, when the Whigs came into power, for no other apparent reason than narrowness of mental outlook or, possibly, a mistaken sense of the need of showing exaggerated willingness to endorse the attitude of superiors. In accordance with normal procedure, the Commissioners addressed their correspondence with the Home Office to Phillipps, and he arranged all interviews between them and the Home Secretary. He was a constant cause of irritation to the Commissioners, especially to Mayne, between whom and Phillipps there was a lasting feud, which is not always visible in correspondence.

Melbourne brought with him to the Home Office as Under-Secretary his brother, the Hon. George Lamb. The principal part he played in correspondence with the Commissioners was in connection with the forwarding of demands for posts and promotions in the police for the nominees of titled and other influential patrons, who soon adopted the habit of addressing their requests to the Home Office instead of to the Commissioners. George Lamb appears to have spent much of his time in diligent application to this task, and he does not seem to have been either perturbed or discouraged by the consistent refusals of the Commissioners, on the grounds of their determination not to break the rules of the establishment. No one in high social or political circles seems to have believed for a moment that the Commissioners were serious in their determination to keep the police Force free from patronage, but it is a fact that some elasticity in the matter of the age-limit of thirty-five years was the only departure from rules that was ever permitted. The callousness with which influential patrons gave certificates of character to rogues who applied as recruits, and were otherwise able to pass the standards which were required for the post of constable, was so frequently the cause of their admission, that the Commissioners provided themselves with a printed form on which to give notice to patrons of the subsequent, inevitable dismissal. The following letter which the Commissioners addressed to the Home Office on May 10, 1831, illustrates the practice of recommending rogues, intentionally or unintentionally, and it marks the beginning of a relationship with Viscount Duncannon which became extremely unpleasant later when he succeeded Melbourne as Home Secretary :

John Walsh who was recommended by Lord Duncannon to Viscount Melbourne for the situation of Police Constable, and whose recommendation was forwarded by you, had previously been in the police Force and had been dismissed for misconduct. It appears to the Commissioners that Walsh has endeavoured to smuggle himself back into the police Force without making these facts known.

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The hesitancy of the Whig Government to disband the police or to announce any measures for altering the organization of the establishment soon exhausted the patience of the expectant parish Vestries, and inspired them to exert all the political pressure of which they were capable. The trustees of the parish of St. Mary, Islington, passed the following resolution in January, and ordered it to be sent to Melbourne, as a test, presumably, of his attitude and intentions :¹

That the Committee of Accounts be authorised, so soon as sufficient funds be collected, to pay the present demand of the Police Rates.

Melbourne had the wisdom, on this occasion, to reply sharply that he was not satisfied with the arrangement, and that he required the Overseers to fix an early day for payment. Other parishes tried to move him by sending him long and detailed complaints of the police. He passed these to the Commissioners, and sent the parishes their replies, without comment. Paddington sent him a long memorial, in June, from the 'Minister, Church-Wardens and Inhabitants', which bitterly criticized the New Police, and gave figures regarding the numbers of them in the parish, the comparative costs of these and of the men employed under the old system, alleged increases in the numbers of various crimes which were being committed, and figures showing an enormous increase in the number of burglaries from which the parish had suffered since the new system of police was adopted. By giving exact and substantiated figures under each separate heading, the Commissioners had no difficulty in proving the document to be a tissue of deliberately-invented lies. Another example of unscrupulous parish criticism was a memorial sent to Melbourne by the 'Clergy, Parochial Authorities and other Inhabitants' of the parish of St. Margaret's, Westminster, complaining of nuisances and rowdiness in the streets on Sunday mornings, and blaming the police for not suppressing them. The Commissioners were able to prove that both rowdiness and nuisances had been in existence in the parish long before 1829, and that they were due entirely to the local custom of paying employees at a late hour on Saturday evenings, and thus obliging them to do their shopping on Sunday mornings. The Commissioners claimed, also, that the police had greatly decreased the prevalent rowdiness, but that they were unable to do more without co-operation of the parish authorities which was not provided for them.

Correspondence between the Home Office and the parish of West Ham throws interesting light on conditions in areas which were not

¹ The inspiration of this resolution is obscure. The Home Office never interfered in financial disputes with the parishes except at the request of Wray or the Commissioners, and there is no evidence of their having made one, or of their need of help.

yet under police control, and also on the causes of the cleavage of opinion on the subject of police which was slowly becoming evident. The following petition from the clergyman of Stratford Green and some of the parishioners of West Ham was sent by Melbourne to the Commissioners for their comments :

11 May 1831.

The whole police of this populous parish, if it can be said to deserve that name, consists of three constables and three head-boroughs, one for each ward, who are the substitutes of such respectable housekeepers as may be annually appointed by the Court Leet to those offices. Their sole remuneration is a trifling gratuity from their principals and some casual fees of office. And of these deputies there is but one who can be considered efficient, and even of this man's time the greater part is occupied in other duties.

The part of Stratford lying on the Romford Road from Bow Bridge to the end of Stratford Green was till lately protected at night by six Watchmen, appointed and paid by the Trustees of the Essex and Middlesex Roads, but these men have been withdrawn during the last month in pursuance of a resolution of a general meeting of Trustees.

So that, with the exception of a few individuals who hire private Watchmen, the inhabitants of this populous parish are at the present time without adequate or, indeed, any protection.

The undersigned have witnessed the efficiency and admirable conduct of the New Police in the Parishes of Middlesex adjoining their own and the good effects that have resulted from their establishment generally, and they beg leave respectfully to request that under the circumstances above stated Your Lordship will promote their wish to have the benefits of the New Police extended to West Ham.

This petition was promptly followed by a Resolution which was passed at a West Ham Vestry Meeting on May 26 :

That this Parish views with alarm the recent attempt to introduce the New Police into this extensive Parish, whereby a few individuals without knowledge or consent of their fellow-parishioners seek to entail an enormous expenditure upon the whole Parish neither justified by its past quiet and orderly condition or by any apprehension of future violence.

The Commissioners reported to Melbourne that it would be impossible to include West Ham in the police area, in existing circumstances, without financial loss to the establishment, unless they lowered the standard of service which they were accustomed to provide, or gave the parish easier terms and conditions than were allowed inside the existing boundaries. They emphatically and consistently opposed the granting of special terms or concessions to individual unit-areas, and for this reason they declined the requests

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of the various London Dock Companies for some years, because these demanded terms which were not in accordance with the Commissioners' ideal of impartial police service to public bodies and to the public.

The most striking examples of the mischief and unscrupulousness of parish hostility towards the police appear in later correspondence, but its manifestations, together with those of judicial jealousy, continued, during 1831, to show increase. In *The Times* of January 9 there is an account of a man being fined the paltry sum of twenty shillings by a magistrate for his leadership of a crowd who threw a policeman bodily on to some iron spikes. At the Middlesex Sessions in June, twelve accused who were proved guilty of assaults on policemen were only bound over to keep the peace. On the occasion of the assaults with which they were charged, one policeman was nearly killed, three others were severely injured, and eight others were temporarily incapacitated by wounds. On June 23, Lord Stamford's coachman was charged at Queen Square with deliberately driving his carriage over a sergeant and a constable, and he was remanded because his victims were too seriously injured to attend the court. The sequel is not recorded. On the same date, at Queen Square, a policeman who had secured the arrest of seventeen pick-pockets whom he charged was severely censured by the magistrate for having dared to disguise himself by wearing plain clothes, although this means of detecting thieves in crowds had been officially sanctioned by Lord Melbourne, and was showing remarkably good results. The sending of policemen in plain clothes to Radical and other meetings was tried successfully, at first, but the custom led to serious trouble later. A report dated 14 January 1831 reveals the impressions of an Inspector who attended, in plain clothes, a Co-operative meeting which was addressed by Richard Owen. The Inspector wrote that the proceedings were entirely harmless, but that he disliked the meeting because he thought it was too Radical, and that there were too many meetings like it taking place in London at the time. This prejudice seems to have been inspired by the conversation of two members of the audience who were sitting near him and discussing the aristocracy. The conclusion that was reached was that these were the cause of all trouble, and that 'the most speedy means for relieving the present distress was to use weapons as sharp as the knives with which they carved their luxuries'.

In the courts, hostile magistrates found many ways of venting their spite against the police, not the least irritating of which was the custom of keeping them waiting there as long as possible, although they had been awake and on duty all night and were obliged to go on duty again in the evening. Even more trying to police patience was the bias shown by magistrates in accepting false statements by

individual prisoners and witnesses without requiring proof, when these were opposed by the police, and, at the same time, refusing the evidence of the police, on the grounds that the number of witnesses whom they had produced was insufficient. In June, a magistrate refused to hear police evidence, and at once dismissed a case of assault on a policeman, because the prisoner made the unexpected and wholly unsubstantiated statement that the policeman who arrested him had made advances to his wife. The injustice which the police suffered at the hands of magistrates was more than once the subject of protests during the year in some of the reputable newspapers. The balance of justice in the courts was, unquestionably, heavily weighted against the police, and a criminal had good reason to consider himself safe after arrest if he was able to persuade a few friends and colleagues to perjure themselves as witnesses on his behalf. A new and welcome sign of improvement in public outlook occurs in a report, dated April 23, which refers to the rescue 'by a number of respectable inhabitants' of a policeman who was about to be thrown into the Thames by a party of sailors.

Endless trouble for the Commissioners was occasioned by the legal handicaps from which the police suffered in cases of assault which they had not witnessed. On January 8, the Commissioners addressed a letter to the Home Office which explains their difficulties:

There is some difference in the decisions of the different magistrates at the Public Offices as to the legal powers of the police constables to interfere in cases of assault, when the assault was not committed in the view of the constable.

The police constables have been much censured for their conduct in these cases. The parties have threatened to bring actions against them,¹ and much embarrassment is in consequence caused in regulating the conduct of the Police Force.

The Commissioners are aware that the legal powers of the police constables in all such cases are not very clearly defined by decided cases; but the Commissioners beg leave to suggest that a communication may be made to the different Police Magistrates, in order that some of the points, which admit of question, may be settled, and a safe practical rule laid down for the guidance of the police Force throughout the Metropolis.

In cases of assault not committed in the view of the constable, these questions have been raised, upon which it is very desirable that the Commissioners should be able to lay down a uniform rule for the direction of the police Force: first, whether the constable may receive into his custody one arrested by such as were present at the time of the assault, and delivered by them into his hands

¹ This is a typical instance of under-statement by the Commissioners. Several policemen had been unjustly sent to jail for alleged wrongful arrest, and had been kept there for failure to pay various costs incurred by their accusers.

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in the day ; secondly, whether the constable may take into custody one charged by a party with having just then assaulted him, in the day time, the party assaulted offering to accompany the officer then before a magistrate, if sitting. *Note* : If either of the above cases occur at night, does that alter the question ?

If in the two cases above stated no magistrate be then sitting, is the constable on duty, or Inspector of Police at the Station House, under the provisions of the 10 Geo. IV, c. 44, ss. 7 & 9, and the general powers conferred on police constables by s. 4, authorised either to hold the party charged to bail, as directed by 10 Geo. IV, c. 44, s. 9 ; or in case such constable shall not deem it prudent to take any bail, or such bail as is offered, whether he may lock up the party until the sitting of the magistrate, the party assaulted undertaking then to attend before the magistrate ?

The Commissioners have also to refer to the 10 Geo. IV, c. 44, s. 4-7 and 9 with respect to the legal powers given to the constables of the Metropolitan Police Force, in case it should be thought advisable to take the opinion of the law officers of the Crown upon the subject ; and they quote the paragraph from the general instructions issued to the police Force relating to these cases :

' The constables cannot in cases of misdemeanour arrest a party after the matter has happened, upon the charges of another : though if another deliver to him a person whom he charges with having committed such breach of the peace, the constable is bound to take charge of him.'

In accordance with the Commissioners' suggestion, the Attorney-General and the Solicitor-General were asked for an opinion. This was given on January 21, and it was emphatic. Its substance was communicated to all magistrates by the Commissioners on February 2, and an immense handicap to police efficiency was allowed to remain in being, although much unjust criticism was checked :

TO THE POLICE MAGISTRATES, PUBLIC OFFICES—

Bow Street ; Marlborough Street ; Hatton Garden ; Worship Street ; Lambeth Street ; High Street, Marylebone ; Queen Square ; Union Hall ; Thames Police Office.

GENTLEMEN,

The Commissioners of Police have the honour to communicate to you that Viscount Melbourne has approved of the following order being issued by them relative to the interference of the police constables in cases of assault, when the assault was not committed in the view of the constable.

Yours, etc.,

R. MAYNE.

' A constable in cases of assaults which have not been committed in his presence, or within his view, is not authorised to arrest, or assist in arresting, the party charged ; nor is he to receive a

person so charged into his custody, unless the party has been arrested by some other constable who saw the assault committed.

'The Inspector on duty at the Station-Houses is not to detain in custody, nor hold to bail, under s. 9, 10 Geo. IV, c. 44, a party brought before him charged with having committed an assault, unless some constable attends who was present, and saw the assault.'

Evidence of the Commissioners' anxiety to assist every form of activity which had the welfare of the public as its object ; of their freedom from political and social bias ; and of their concern to emphasize their view that the police were the instruments of law and that they were unable to function without its authority appears frequently in their correspondence during 1831. In August, the Stamp Office called on them to suppress the sale of *The Poor Man's Friend* and *The Republican* in the streets, and they replied, coldly, that they would act only in accordance with law. When asked by a magistrate to lend constables to inflict whippings, they replied that their men would be allowed to attend, if required, for the purpose of maintaining public order, but would not be allowed, in any circumstances, 'to aid the public executioner'. The Commissioners wisely refused an offer of aid from the London Society to conduct prosecutions for them 'in cases of outrage upon any of the police Force'. They expressed their willingness to co-operate with the Mendicity Society, and they willingly provided police for all the religious gatherings at Exeter Hall. A correspondent who applied to the Commissioners, through his solicitor, for police assistance in driving a crossing-sweeper from his beat received a harsh and emphatic refusal. On police discovery of a man whose business was to obtain dog-skins for sale by starving the animals to death in a shed, the Commissioners found themselves without power to take any action against him except the destruction of the dogs, but the case was well ventilated in the Press. Side by side with bitter and unjust criticism of the police in the Press is evidence of a growing demand that they should be entrusted with the stoppage of many of the evils which their energy was revealing, and that they should be given stronger powers to deal with body-snatchers and what were called the perpetrators of 'pre-anatomical murders'. Various nuisances such as the exposure of drains and cesspools, the existence of dilapidated buildings which were liable to collapse unexpectedly, and even the presence of mud on pavements, and the making of pavement-slides during frost were mentioned as grievances which it was the duty of the police to remove. The freedom with which householders were allowed to expose cesspools and pump these into the sewers during the cholera epidemics of the eighteen-thirties was a public scandal.

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The following letter is typical of the Commissioners' attitude to strangers who approached them with a complaint which an inquiry proved to be justified :

To MR. DAVIS.

The conduct of Mr. Hornsby appears to the Commissioners to have been highly improper and directly contrary to the orders which the Commissioners have repeatedly given for the conduct of the Inspectors at the Watch-houses. Mr. Hornsby has been severely censured by the Commissioners, who are desirous of knowing from you in what further manner they can cause him to make some amends to you.

That the frequency of attacks on policemen by soldiers was not lessening the patience of the Commissioners is made clear by a letter of June 11 :

To COLONEL WOODFORD, Horse Guards.

The Commissioners have been very anxious, as you are aware, to prevent any interference of the police with the soldiers, except when absolutely necessary, and all their regulations relating to such cases have been framed with a view to promote, as far as possible, a friendly feeling between the military and the police Force. They regret extremely that a collision between them has now taken place, but it appears upon this occasion that the affray began by a violent and unprovoked assault being committed upon a police constable by the soldier, Walker, who was immediately taken into custody of the police, it not being known that he was previously in charge of an escort. . . .

The Commissioners have by an order of this day communicated to the police Force that the soldiers of the Guards may be always known to be on duty when under the charge of a non-commissioned officer, and have repeated it in orders, that upon such and all other occasions, when soldiers can be known to be on duty, no interference whatever will be permitted by the police.

The Commissioners beg also to assure you that they will at all times be ready to concert with you such measures as may be calculated to promote good understanding between the military and the police.

When a case of assault on policemen by soldiers was heard at Marylebone Office on June 24, the sitting magistrate, Rawlinson, remarked on the charge sheet :

It was found upon the hearing of this case that several soldiers from the adjoining Barracks in Portman Street joined with the mob in ill-using the officers, in spite of having been charged in the King's name to assist.

During the months of July and August, the Commissioners were cheered by the warmth with which many newspapers expressed their appreciation of the conduct and efficiency of the police in controlling

crowds and traffic at the opening of London Bridge and during the ceremonies of the coronation of King William IV. On the latter occasion the New Police lined the processional route in double rows ; the men standing to attention at intervals of four feet from one another.

Interesting light is thrown on the difficulties of internal administration of the police Force by details mentioned in correspondence on the subject of a request for a small rise in prices, which was made in June 1831 by the clothing contractor, Charles Hebbert. He was an extremely capable and clever business man who, in 1829, secured the contract for supplying police clothing by offering prices with which army contractors were unable to compete. Later, with farsightedness which amounted to genius, he entrenched himself so cleverly behind an organization which he instituted, that he became indispensable to the establishment, to an extent that placed him well beyond the reach of the many attempts of his intriguing competitors to remove him. He lost no opportunity of emphasizing his own view of his value to the police establishment, but his vivid accounts of his financial losses are discounted by his eagerness to keep the contract. Angry army clothiers pleaded, annually, that it should be thrown open to competition, and the Home Office showed willingness to comply with their requests. Wray and the Commissioners offered strenuous and successful opposition to every attempt to interfere with Hebbert which threatened the risk of their losing his immense services. Their reasons for their support of him and their need of him are clearly shown in the following correspondence. On August 12, 1831, Wray wrote to Phillipps :

The subject of the contract for clothing the Police Force having been lately under the consideration of the Commissioners and myself, two questions have arisen upon which I beg to submit the following observations, and request you will have the goodness to lay them before Viscount Melbourne together with two letters addressed by Mr. Hebbert, the contractor, to the Commissioners and myself.

The first question was whether the contract should be now again thrown open, and advertisements issued for new tenders.

The second, whether the present contractor should be allowed an advance, which he required upon his former prices.

In regard to the first of these questions, it will be necessary to trouble his Lordship with some detail as to the peculiar nature of our supplies.

When the contract was entered into in July, 1829, it was only for the supply of clothing, upon the same principle as in the army, in which case the contractor ceases to have anything more to do with the clothing when it has once passed from his hands and been approved.

CHAPTER XIII

1831 (*continued*)

THE most serious of the riots which occurred in London during the year 1831 were those of the months of April and October. They were inspired by the opposition shown by Parliament to the Whigs' famous Reform Bill. Riots were expected again in November, but they failed to materialize for reasons which represent one of the first clear instances of the success of the preventive principle employed by the police.

On March 21, the second reading of the Reform Bill was carried in the House of Commons by a majority of one vote. On April 19, and again on April 21, it was defeated in Committee, and on April 22 occurred the dramatic prorogation of Parliament by the King prior to its dissolution and a consequent General Election. A vivid account of the consequences which followed in London is given in the *Annual Register* :¹

Illumination. Parliament having been dissolved on the 22nd, on account of the hostility manifested by the House of Commons to the Reform Bill, which had been introduced by Ministers, the reformers of London endeavoured to get up an illumination on Monday, the 25th ; but that having been a failure, they prevailed on the Lord Mayor to announce another for the evening of Wednesday, the 27th. On that evening accordingly, the illumination took place, and was pretty general, especially in the City, and in those districts which, by the Bill, were to receive new members of their own. . . . The mobs did a great deal of mischief. A numerous rabble proceeded along the Strand, destroying all windows that were not lighted. On arriving opposite Northumberland House, they instantly demolished the windows which were not illuminated. The United Service Club in Waterloo Place and several other Club Houses in the vicinity were seriously damaged. In St. James's Square they broke the windows in the houses of the Bishop of London, the Marquis of Cleveland and Lord Grantham. The Bishop of Winchester and Mr. W. W. Wynn, seeing the mob approach, placed candles in their windows, which thus escaped. The mob then proceeded to St. James's Street where they broke the windows of Crockford's, Jordan's, The Guards', and other Club Houses. They next went to the Duke of Wellington's residence in Piccadilly, and discharged a shower of stones which broke several windows. The Duke's servants fired out of the windows over their heads to frighten them, but without effect. The policemen then informed the mob that the corpse of the

¹ *Annual Register*, 1831, Chronicle, p. 68.

Duchess of Wellington was on the premises, which arrested further violence against Apsley House. They turned up Park Lane, and broke some windows in the Duke of Gloucester's house. They then demolished the whole of the windows of the Marquis of Londonderry's mansion, and, having done similar damage to the premises of other gentlemen, proceeded to Privy Gardens and broke Sir Robert Peel's windows. The house of Sir Robert Wilson, too, who used to be an idol of the mob, was attacked, and the windows broken, because, while he supported the Bill, he disapproved of that part of it which went to diminish the number of English Members.

It was an unhappy night for the police. The entire strength of six Divisions was on duty: Whitehall, (A); Westminster, (B); St. James's, (C); Marylebone, (D); Holborn, (E); and Covent Garden, (F). It was reinforced by parties from other centres which brought the total number of men who were employed to one thousand, one hundred and six, and they were in charge of seven Superintendents and twenty-seven Inspectors. These numbers were quite insufficient for the task by which the police were confronted in the existing state of the development of police tactics. An indecisive battle was waged all night. The police had many local successes, but they were unable to end the disturbance. They were successful while they remained in strong parties, but men who became separated from their fellows while carrying messages or conveying prisoners were savagely attacked and brutally maimed. Dawn and the natural exhaustion of the rioters at last effected the clearance of the streets which the police failed to achieve. They were victorious because they prevented serious damage by making baton charges in various places, and because, once again, they effected their purpose without having to call on the army for assistance. They still had before them the task of creating the prestige and public respect which was their strongest weapon in later years.

The Superintendents' reports of the night's events throw interesting light on the early growth and development of the principles on which the police were basing their tactics in 1831, and for this reason the account given to the Commissioners by Superintendent Joseph Thomas deserves quotation in full:

SPECIAL REPORT, COVENT GARDEN DIVISION.

April 29, 1831.

Previous to the men going on duty on Wednesday evening, the night of the General Illumination, I specially addressed the whole of them, at their parades, on the necessity of their exercising the strictest forbearance in performing their duty on that night—reminding them that the streets would be greatly thronged by persons of all ages and classes, and that upon such an occasion the majority of such persons would be doubtless respectable, and

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although they must do the best in their power to prevent breaches of the peace, riotous or disorderly conduct, or any attempt at the destruction of property, still, they were to avoid every thing like violent measures, and upon no account to use their staffs unless as a matter of the greatest necessity, for I was determined to report to the Commissioners any man guilty of wantonly using his truncheon under such circumstances. As the duties were more discretionary with me than those of the four first Divisions, I first ordered twelve men in coloured clothes, whom I posted as follows : two to parade between Charing Cross and Bedford Street, Strand ; two from Bedford Street to Temple Bar ; two from Middle Row, Holborn, to Little Turnstile ; two from Little Turnstile to St. Giles's Church ; two from Lincoln's Inn Fields down Queen Street and Long Acre ; two all round the Seven Dials and immediate streets. These men I posted at eight o'clock in the evening with instructions to walk together within the prescribed distances during the whole of the night, for the purpose of watching the proceedings of the mobs, also any gangs of thieves which might make their appearance among them, and upon the first sight of any flagrant breach of the peace, I directed, that one should repair instantly to the Station in Covent Garden, and the other to the principal Station of the Adjoining Division. The Inspectors I ordered as follows : three of them, Mr. Wovenden, Mr. Dodd and Mr. Rogers to patrol each of them one-third of the Division, and the fourth, Mr. Priest, to take charges, he being the oldest police officer. I remained myself partly at the Station to receive reports, give directions and hear complaints and requests of the inhabitants, and at intervals going out to the various parts of the Division, where I felt my presence was necessary.

On the first appearance of riots, about the *Morning Post* office, I hastened down with a party of men, and got into the middle of the crowd, and took occasion to address them immediately around me, entreating them not to persevere in so mischievous and senseless a course, which must end in the disgrace and disadvantage of many concerned, for although the police had no wish to interfere, still, they were placed there to prevent further mischief, and that duty should be done at all hazards without reference to any party.

At this time I should think there was not less than two or three thousand persons in front of the *Morning Post* office. I was listened to with respect by many round me, and from that time the mischief was greatly lessened. I however got struck by sticks twice, but not of any consequence. I certainly could with a hundred men have completely swept the crowd away, but certainly not without the liability of doing much mischief and incurring considerable opposition and hatred to the Force, for although it was principally thieves and low blackguards who were engaged throwing missiles, still, there was also a very considerable portion of respectable females and children from two years old upwards, and I was well aware that to have charged them with staff in hand—the only

way of clearing them away effectively—would be risking the loss of life, for the sudden movement of so dense a body of people must have produced the most disastrous consequences to either women or children.

I therefore contented myself, while the mischief was confined to breaking glass, to ordering the men to keep a good look out for those persons actually throwing stones, the consequences of which was that twenty-one persons were apprehended; eleven were held to bail and ten were discharged with suitable admonitions. Eleven thieves were also detected in the act of felony, all of which have been committed save one, the identity of whom was not sufficiently clear.

I have great satisfaction to state that the men of my Division acted with the greatest promptitude and vigilance, nor was there a single complaint made against them, either by the Inspectors or the public. On the contrary they were received by the populace with the greatest good feeling whenever they were called upon to act, and in many instances heartily cheered with cries of 'Bravo, Police!'

In conclusion I have to state that the proprietors of the *Morning Post* have expressed their obligations to the police for their 'vigilance and unceasing exertions' on their behalf. I do therefore humbly hope that their conduct will also meet the approbation of the Commissioners. About four o'clock in the morning I saw everything comparatively quiet. I went home, having been on duty in the streets and at the Station from seven o'clock on the previous morning engaged on the murder case and other important business.

J. S. THOMAS, *Superintendent.*

The report of Superintendent John May of Whitehall (A) Division gives more detail of what occurred in various parts of the town. The Whitehall Division was smaller in numbers than any of the others, and it was based on headquarters at Scotland Yard and used, principally, for special duties such as reinforcement and patrols. Superintendent May was regarded as being in many respects senior to the other Superintendents, as he was constantly in personal attendance on the Commissioners, besides having additional responsibilities such as superintendence of recruiting.

A DIVISION,
April 28th.

I beg leave to report for the information of the Commissioners that the Division assembled at the Watch-house, Gardener's Lane, at eight o'clock last night, consisting of one Superintendent, two Inspectors, sixteen sergeants, and seventy-three constables. . . . Very soon afterwards a report was received that a mob had collected in great numbers in Regent Street, and that they had commenced breaking windows belonging to such persons as did

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not think proper to illuminate. I immediately dispatched two parties of one Inspector, two sergeants and twelve constables with directions to follow each other and to be in readiness to act together.

I now received a report that a mob headed by a man carrying a banner had proceeded to the residence of the Duke of Wellington in Piccadilly, the man giving the word, 'Halt and Fire!' which was followed by a volley of stones at his Grace's windows, but very few of them reached the house when the party of police stationed there drove them off in all directions, but in endeavouring to secure their leader one of my men got severely beaten and kicked.

On receiving this report, instant directions were sent to the B Division for a strong party to be sent to the assistance of the men engaged at Apsley House, which was accordingly done, but the mob did not again return to that part of the town during the night, but confined themselves principally to Regent Street, Pall Mall and Charing Cross. . . .

I placed a strong body of police in Whitehall Gardens in consequence of information received that the mob had evinced a strong determination to break the windows of Sir Robert Peel and others who had not lighted up. This determination was not, however, carried into effect. . . .

Information was at this time received that the mob were breaking the windows of the Union, United Services and other Club Houses which had not illuminated, and here two Inspectors and fifty constables were instantly sent in that direction, and after much difficulty succeeded in dispersing the mob. . . .

A little after twelve o'clock information was received that the mob had reassembled and were breaking the windows of Northumberland House. A large body of police under my orders hastened there to assist the Inspector and a few men who had followed the mob. Immediately after my arrival there, I was joined by strong parties from the C, F, and L Divisions, and after much resistance we succeeded in forming a line in the street extending the length of the house, and eventually cleared the mob away. . . .

JOHN MAY, *Superintendent.*

Superintendent Thomas Baker, St. James's Division (C), mentioned the fact of the mob's immediate withdrawal from Apsley House on being informed of the death of the Duchess of Wellington, an incident which was creditable both to London's underworld for its gesture, and to the police for their reliance on the finer instincts of the mob, which the appeal to the leaders fully justified.

In a short covering letter which accompanied his report, Baker wrote :

It appears that great attention was paid to my order to avoid irritating the mob.

His detailed account is the most informative of all that were received :

C DIVISION, ST. JAMES'S,
April 28, 1831.

I beg leave to report. . . . The crowds collected in immense numbers, so as, about eleven o'clock, to render unavailing the exertions of the men on duty to prevent the work of destruction. When they commenced to throw stones with intent to break the windows, I deemed it necessary to assemble the whole of the men of the detachments placed at my disposal, whom I put in motion and with them patrolled Regent Street, Piccadilly, Pall Mall, Bond Street, Haymarket, St. James's Street and Square, and other parts of the Division, the crowds everywhere giving way on the appearance of the police Force, and assembling afterwards at other points, carrying on the destruction of windows wherever the houses were not illuminated. The destruction of windows at Sir Robert Wilson's residence in Regent Street was complete, and an attempt was moreover made to throw up the sashes and enter the house . . . a great number of windows at the various Club Houses were also entirely demolished. The residence of the Duke of Wellington, Apsley House, was saved by the Porter and the police constables stating the fact that the late Duchess lay dead in the house at the time.

The number of houses where windows were broken is too numerous to detail at this early period. . . . The number of prisoners taken amounts to ninety-five . . . and many were rescued from individual constables. Police Constable George White, C.48, was knocked down in the Strand by Northumberland House, kicked, bruised and shamefully used, his head cut by a stone. . . . Police Constables James Grover, V.85, and Daniel Warden, V.159, were also knocked down in Hill Street, Berkley Square, and very severely maltreated and their heads dangerously cut.

The orders relative to the duties have been carried into effect. It is a great pleasure to me to have to state that the men under my command, without exception, conducted themselves much to my satisfaction.

THOMAS BAKER, *Superintendent*,
St. James's.

The police arrested one hundred and sixty-eight rioters on April 27, and many of them were convicted by magistrates. The punishments were mostly small fines in amounts ranging from three to twenty shillings, with terms of imprisonment varying from three to thirty days as alternatives. There were a few instances of more severe penalties being inflicted, but the highest which is recorded is one of five pounds or two months' imprisonment.

The new House of Commons assembled on June 14. It passed

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the Reform Bill on September 21, by a majority of 136 votes. On Saturday, October 8, at six o'clock in the morning, the House of Lords refused it a second reading, by a majority of 51. Popular excitement expressed itself, at first, in the form of innumerable protest meetings and processions. On Wednesday, October 12, a Procession of the Parishes was organized in London to proceed to St. James's Palace, and to present to the King, in the form of petitions, resolutions demanding reform, which had been passed at various meetings. A welcome opportunity was afforded to Radical extremist leaders to rouse London's underworld and to make, once again, an effort to defeat the New Police.

Rioting was severe on October 11, and on October 12. On these dates the police were even less successful than they had been on the night of April 27, partly on account of the fact that Superintendent Baker misunderstood his orders on one occasion, and failed to place his men in position at Apsley House and other places in time. Damage was confined mostly to windows and policemen's heads and bodies, and the police were again able to hold the mobs in check without requiring the assistance of the army. The *Annual Register's* accounts of the events are as follows :

In London, any symptoms of the anarchy which the demagogues had uniformly threatened would be the necessary consequences of the loss of the Bill were exhibited only by the lowest of the rabble. The more respectable reformers held their meetings, made violent speeches, abused the bishops, and voted addresses to the king for the levying of a new regiment of reform peers. The lower reformers, who clamoured still more loudly for all these things, broke the windows and picked the pockets of the Duke of Newcastle, and assaulted the Duke of Cumberland, the Duke of Wellington, and the Marquis of Londonderry. . . . On the 12th, what was called a procession of the parishes of London marched, with great variety of flags, to St. James's Palace, to present addresses which had been voted to his Majesty. . . . the mob, in the meantime, amused themselves with breaking the windows of the Marquis of Bristol.

On the 11th, as three policemen were coming through St. James's Square with a prisoner in their custody, the crowd surrounded them and rescued the prisoner. The constables took out their staves, but were pushed along until they arrived at Waterloo Place, where they were joined by a party of the police. At the corner of Waterloo Place, the crowd took advantage of a heap of macadamized stones, which they flung at the police in every direction, so that the latter were glad to make their escape.

Some desperate attacks were made upon the New Police by regularly organized gangs of pickpockets, and several constables were very severely beaten. At the corner of Charles Street,

¹ *Annual Register*, 1831, History, p. 280.

St. James's Square, some young thieves were taken into custody by three of the police, who were detached from the main body; the prisoners were rescued, and the constables were obliged to make their escape. One of the Inspectors of the C Division, who was parading in Pall Mall in private clothes, was kicked and beaten in so brutal a manner that he narrowly escaped with his life. . . .¹

That police tactics were still in process of experiment and evolution is shown by the Commissioners' report to Melbourne. Their problem was, clearly, the difficulty of keeping the police in bodies strong enough to take successful action against a mob, and of ensuring, at the same time, the safety of individual policemen and complete protection of the streets. The Commissioners wrote :

During the period that the congregated numbers remained in the neighbourhood of the palace, the Commissioners thought it necessary to keep the police Force together in strong bodies ; and part of the mischief which occurred was owing to a misapprehension of the instructions of the Commissioners by the Superintendent of one Division in not having distributed his men to the points to be particularly guarded early after the processions began to leave the Palace. In consequence of this, the rabble which accompanied one of the processions on its return had an opportunity of breaking the windows of Apsley House. A strong body of the police were immediately ordered to the spot, but arrived too late to prevent the mischief. . . .

The Commissioners beg to assure you that according to your Lordship's desire, they had taken the greatest pains to dispose of the Force under their direction in a manner they thought best calculated to prevent serious results ; and however they may regret the damage that has been done, they must bear witness to the zeal and energy shown on every occasion during the day by the police under their orders.

The Superintendents' reports on this occasion are unusually uninformative, and it is difficult to obtain from them a clear picture of events in the sequence in which they occurred. Superintendent May wrote of one incident :

A little confusion was created by the mob pressing on the constables, and they could not be kept back without using violence which I thought it most prudent to abstain from doing, finding that the pressure of the crowd in the rear compelled those in front to press forward.

The police had not yet learned the art of controlling pressure and movement in a crowd, and making use of them for dissolving it. Superintendent Baker made no mention of the misunderstanding of orders of which he was accused. Of the incidents at Apsley House he wrote :

¹ *Annual Register*, 1831, Chronicle, p. 162.

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An instant and unexpected attack was made upon the Duke of Wellington's house, where many windows were broken.

More interesting is his brief account of a fight with a mob in King Street :

After a short but severe struggle, a number of the mob being armed with bludgeons, the resolution of the police prevailed, and the mob took flight in every direction. The constables had to use their truncheons freely on this occasion.

The number of prisoners arrested by the police on October 11 and 12 is not recorded, but the penalties inflicted by magistrates on rioters during the course of the few days that followed were the same as on previous occasions. The maximum penalty was again a fine of £5 with the alternative of two months' imprisonment.

The expectation of serious riots in November originated in a quarrel between peaceably-intentioned Radical leaders of the National Political Union 'of the working and middle-classes' and their extremist colleagues, who had been trying, unsuccessfully, to secure control of the Union since its formation a few weeks earlier. They had been defeated by Place's tactics in arranging their exclusion from membership by making this dependent on the approval of himself and a few others who shared his moderate views. The extremist leaders advertised the holding of a mass meeting on November 7, at White Conduit House, and it became known that they were accumulating large quantities of bludgeons with the intention of making a bid for the support of the working-classes by securing an outstanding victory against the New Police. Helped by experience of earlier disturbances, the Commissioners disposed their forces with such good effect that no formidable mobs assembled. Some slight disturbances occurred and a few arrests were made, but there was no serious street-fighting.

The defeat of the Radical extremists at White Conduit House did not represent a final triumph of the police over the forces of mob disorder. There was a tense struggle, accompanied by bitter fighting on a later occasion. The historical importance of the riots in London in April and October 1831, and of the prevention of riots on November 7, becomes clear only when they are viewed against the background of the disasters which were occurring as the result of mob disorder in other parts of the country where, as yet, there were no police of the kind that was available in the capital. In October, Nottingham Castle, the seat of the Duke of Newcastle, was besieged by a mob and burnt. In Bristol, the central area of the town was burnt out and destroyed by a mob in the course of disturbances, known as 'The Bristol Riots', which few historians of the period have neglected to describe vividly. Elsewhere than in London, owners of large mansions in all parts of the country were arming

themselves and their servants and organizing the defence of their homes in case of siege. Even Peel, at Drayton, his country house, near Birmingham, was 'importing carbines' for its defence. In the Home and Southern counties ricks were blazing nightly. Authority was hurrying troops from one centre of disturbance to another, in clumsy and often unavailing efforts to suppress outrages which it was beyond the power of arms to forestall. The contrast between the disturbed state of the provinces and the comparative quiet of the capital was too obvious to be overlooked, and it soon caused a demand for police organization on the London model throughout the provinces which was gratifying to the Commissioners, although it brought them many fresh embarrassments.

Subsequent events show that one of the most important items of police history of the year 1831 was an incident which occurred at White Conduit House on November 7, although it appeared to be of little consequence or importance at the time. While the police were waiting at their posts, two magistrates of the Marlborough Street office arrived on the scene, and asked the Superintendent in charge to give them full details of his arrangements, strength, and dispositions. In his replies, the Superintendent gave no offence, but the magistrates found serious grievance in the fact that the Commissioners did not wait upon them and present them with the information which they sought. One of these magistrates was Frederick Adair Roe, a man of an intensely emotional and effeminate personality which led him, later, to play a temporarily important but despicable part in police history. He was a barrister who had been educated at Westminster and at Christ Church, Oxford, and he made powerful use, throughout his later life, of influence and intimacy with Whig ministers, the origin of which is a mystery. During the years 1829-31, his name appears more frequently than that of any other magistrate as the signature of letters of complaint against the police. His behaviour in November 1831 was typical of his character, and consistent with similar displays in which he indulged on several other occasions.

On November 8, Roe met Colonel Rowan accidentally at the Home Office and made some vague and weakly-formulated accusations against the Commissioners, to the effect that they had intentionally slighted him on the previous day by not attending him at White Conduit House and giving him full information about police arrangements. He said that the conduct of the Commissioners had been most extraordinary, and that he would communicate with Lord Melbourne on the subject.

Rowan appears to have paid no particular attention to these complaints when he heard them, and to have thought no more about them. On November 11, Roe fulfilled his threat of a letter to Mel-

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bourne, and this was passed to the Commissioners. It is an almost meaningless document which conveys clearly, nevertheless, the insinuation that the Commissioners should have met the writer when he arrived at White Conduit House, and that they should have deferred to him and placed themselves and their men under his orders. His object was, obviously, to insinuate a claim to have authority over the Commissioners, as a magistrate, by stating it vaguely, in the expectation that Melbourne would support him, and give a ruling in the matter for which he did not dare to ask openly.

On the 16th, Rowan wrote to the Home Office a short letter, outlining the conversation which he had had with Roe at the Home Office on the 8th, and requesting Melbourne, firmly but politely, to demand from him a clear and understandable explanation of his meaning and of his complaints. This request was granted, and Roe replied to Melbourne in a letter which was forwarded to the Commissioners, and was worded even more vaguely than his original note of the 11th. He assured Melbourne that he was speaking of an opinion and not making a complaint. He begged Melbourne to regard his earlier letter in this light, and to let the whole matter rest there. A copy of this evasive reply was duly sent to the Commissioners and drew from them a forceful response in the form of a letter to Melbourne which is an interesting example both of the directness of Mayne's style and of his customary insistence on the elucidation of facts. Mayne wrote that he and Rowan agreed with Roe's request to allow the matter to rest on the basis of his letter of the 11th, and that they now proposed to confine themselves to consideration of that letter's substance :

. . . they trust it will appear to Viscount Melbourne that the censures passed by Mr. Roe upon their public conduct were in fact unwarranted ; and, that under any view of the case, it was no part of Mr. Roe's duty to assume to pronounce judgment upon their conduct ; and his doing so was ill-calculated to promote a cordial co-operation in future, or conduce to the good of the service hereafter.

The letter continues with an assurance that everything that was possible was done for the magistrates by the Superintendent on the spot, of whom Roe did not complain, and it points out that the consequences of magisterial command of the police and the confusion which it would cause would be both dangerous and absurd. Mayne concludes with the following paragraph :

The Commissioners of Police with the greatest deference submit to Viscount Melbourne that it is of the utmost consequence that the two branches, the judicial and executive of police, should be placed on such a distinct footing as may prevent jealousy or a clashing between them ; which must be so highly prejudicial to



SIR RICHARD MAYNE, K.C.B.

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Metropolitan Police District*

the Public. That in order to effect that object, by such regulations as may seem best to his Lordship, the duties of the magistrates may become purely judicial, and the business of the executive Police be entrusted to the Police Commissioners acting under the immediate orders of the Secretary of State.

For the Commissioners' need of having to make such a request more than two years after the creation of the new Force, the fault lies with Peel. They were obliged by him to carve for themselves the complete separation of their executive functions from those of the judicial branch of the law, without which their work would have been stultified very quickly. Having secured this separation, they had to fight for its maintenance against the jealousy of magistrates which would have deprived them of it. On this occasion, in his subtle attempt to create a precedent for ministerial recognition of the authority of magistrates over the Commissioners, Roe miscalculated the power of his undoubtedly strong political influence. Melbourne characteristically ignored the controversy and took no action either in support of him or of the Commissioners. During later riots, when the Commissioners' undefined authority showed signs of clashing with that of a magistrate, they appear to have maintained their own, and avoided friction, by the exercise of a combination of tact and firmness which was their usual method of overcoming difficulties. The special interest of the clash of temperaments between the Commissioners and Frederick Roe at White Conduit House lies in the fact that it was the opening act of an extraordinary drama which unfolded itself in the course of the years that followed.

CHAPTER XIV

1832

POLICE documents and correspondence seem to indicate that the year of the passing of the Reform Bill was a period of comparative quiet for the Commissioners, but the columns of the Press show a steady intensification of legal and other difficulties, and of the sufferings which the police were obliged to endure at the hands of their many enemies. In the courts, prisoners were charged, almost daily, with assaults on policemen which were sickeningly similar in their brutality, and the total number of these outrages was many times greater than that of the accused who were captured and charged with their perpetration. The petty fines which the magistrates inflicted as punishment for the offence seemed to indicate a desire on their part to encourage it. It was seldom that they could be persuaded to send a prisoner to Sessions for it. Occasionally, the maximum lower-court sentence of a fine of five pounds was inflicted, and promptly paid, but sums of from five to twenty shillings were the usual penalties in the majority of cases.

In July, a small party of police were attacked when trying to make an arrest. They were surrounded by a crowd, and a sergeant and four constables were quickly rendered senseless. A reinforcing party of police were heavily stoned, and several of them were seriously injured. Eventually, three of the attackers were arrested and found guilty of inflicting some of the injuries. Two magistrates, Ballantyne and Broderick, declined to commit the accused to Sessions and fined them five pounds each. Another magistrate, White, dismissed a case of brutal assault on a policeman, and refused to proceed with it, as soon as it became known in court that the sufferer had been in plain clothes, and not in uniform, when he was maltreated. The leniency shown by magistrates towards prisoners who were proved guilty of assaults on policemen had inspired mildly-worded protests in the Press in 1831. It is an interesting fact that the *Morning Herald*, a newspaper which was one of the most consistent producers of unfair criticism of the police, published, on July 31, 1832, a strong indictment of the injustice from which they suffered in the magistrates' courts, and used as a text the case in which Ballantyne and Broderick had refused to commit to Sessions the three men who were proved guilty of assault earlier in the month.

That the higher courts were beginning to take a more realistic view of the injustice of police sufferings is revealed by sentences inflicted at Sessions in January, on two rare occasions on which

prisoners charged with the brutal maiming of policemen found their way there. At the Southwark Sessions, the Lord Mayor and Aldermen gave one prisoner the exemplary sentence of two years' hard labour for having committed a customary act of brutality against a policeman, and another man was sentenced at the Westminster Sessions to nine months' imprisonment for a similar offence.

A bitter attack was sustained on the police throughout the year for their alleged ineffectiveness in dealing with nuisances and street-offences. It is impossible to unravel in detail the tangle of legal complications which handicapped the police in their efforts to suppress and abolish solicitation by prostitutes, seduction of children, inducements to steal, the receiving of stolen goods, the use of public-houses and restaurants as rendezvous for undesirable and disorderly characters, and the setting-up of pavement-markets and other forms of attraction for disorderly gangs and crowds. In their hostility towards the New Police the Press and the public conveniently forgot the fact that all these offences and nuisances for which the streets of the capital were notorious had been in existence for more than a century before the New Police had appeared. These never failed to act effectively when the laws allowed them to do so, and seeking reform of the laws for the purpose of increasing police efficiency was the constant concern of the Commissioners. In their pursuit of this end they received no ministerial assistance, but they were able to effect several minor reforms. In certain cases of infringement of the law by the proprietors of public-houses, the fines were paid by the courts to the accusers. These were usually policemen, and the motive of personal gain was generally believed to have inspired their actions. The Commissioners ordered all fines which were obtained by members of the Force to be handed over to them for allocation to the Private Fund. They made strong personal appeals to magistrates in every case in which a policeman was detained in court, unnecessarily, in the course of his duty, and they made patient approaches to the City authorities regarding the effect on police efficiency and public welfare of the absurd restrictions and lack of co-operation from which the police suffered on account of the City's jealousy of them. In their efforts in this direction the Commissioners were helped by Press complaints, in February, that the City was full of criminal and other vagrants who had been driven out of other parts of London by the New Police. No one appears to have noticed the fact that this assertion was being made in newspapers which were constantly accusing the New Police of having no effect on the numbers of disorderly vagrants in their own area besides that of causing their increase, but the City authorities were moved to take some action. Suggestions were made at their councils that the Metropolitan Police should be allowed to function on the City side of Temple Bar, and

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there were counter-suggestions to the effect that a City Police should be established, on the pattern of the new Force. A beginning was made in March with a City Force of a hundred men, which was organized under a City Police Committee, with the patiently-given and, often, ungratefully-received advice of the Metropolitan Police Commissioners. The immediate consequence was a violent quarrel between the Court of Aldermen and the Common Council, and very little immediate help to Metropolitan Police efficiency was effected.

In view of the haughty attitude which had been adopted towards the police by the military authorities, a communication which the Commissioners received from them in May must have caused some amusement and gratification. The Commissioners were solemnly requested to order the police to protect the sentries at St. James's Palace from the attentions of prostitutes. The invitation was accepted willingly, and the prompt result was an attack on a policeman by the hooligan friends of a woman whose approach to a sentry he had prohibited. The sequel was a case in court in which an array of Guardsmen in uniform appeared as witnesses on behalf of their policeman protector, but the details are, unfortunately, not recorded.

In spite of the official ruling regarding cases of assault by civilians on one another, which was given in 1831, and clearly forbade the police to arrest or detain anyone who was accused of an assault which they had not witnessed, unjust public criticism of their compliance with this order became increasingly loud. At the same time, police powers in cases of individuals who were accused of felony were criticized in the Press with equally shrill asperity, on the grounds that they were excessive, illegal, and unconstitutional. Superintendents and Inspectors were allowed, in practice, wide discretion in the matter of deciding whether to lock up and charge, or to liberate, civilians who were accused by others of felony. The Commissioners were not less anxious than were the public to have this power clearly defined and, if possible, limited by law, in the interest of themselves and their men, although necessity had dictated the granting of power of discretion in the peculiar circumstances of their duties at Station Houses. In February 1832, in response to complaints from the public, and without, apparently, any consultation with the Commissioners, Melbourne sent them the following brief order :

In all cases where persons are brought to any Police Constable or to the Station Houses upon a charge of felony, the party charged is to be kept in custody until he can be sent before a magistrate.

In acknowledging the receipt of this order, the Commissioners patiently called attention to the inevitable consequences which would follow its enforcement, and to the trouble which it would create for the public and for the police. The following are items of

the letter which were particularly emphasized :

The order is a charter for anyone inspired by motives of jealousy, spite, or threat of revenge to secure in safety the locking-up, at least for the night, of anyone they wished to victimize.

Workmen and servants could charge employers, and employers could charge their servants.

Any respectable person could become the innocent victim of a prostitute or a money-lender.

By charging rent-distressing brokers with theft, a particularly easy way was laid open to debtors to clear them off the premises.

Workmen who gave notice to employers could be charged and locked up on the grounds that they had not returned tools.

Enforcement of the order would excite great odium against the police.

The fact that these points were overlooked by the Home Office until the Commissioners called attention to them reflects no credit on Melbourne and his advisers. The Commissioners claimed that the conferring of discretionary powers on Station-House officers was absolutely necessary, although it was regrettable ; that it had always functioned satisfactorily, and that it had not been abused. There is no proof that the order was withdrawn, but there is abundant evidence that it was not enforced. It is probable that the waiving of the decision was arranged at one of the many interviews between the Commissioners and Phillipps of which no record was made in writing. This neglect obscures the final outcome of many interesting controversial issues which originated in the temperamental attitude of the Whig-controlled Home Office to matters concerning the police.

The slow growth of public appreciation of the police and of what may be called sectional, or group, support of them is revealed by two incidents in 1832. The first is the submission of a representation by the Grand Jury at the close of the Middlesex Sessions in April :

The Gentlemen of the Grand Jury for the County of Middlesex feel that they cannot separate without expressing their admiration of the extreme efficiency, intelligence and individual respectability of all the members of the New Police who have appeared as evidence in the cases which have been brought before them.

The Gentlemen of the Grand Jury experience much pleasure in expressing their warmest and fullest approbation of this most admirable Force.

The second example of corporate appreciation of the police is a petition which was sent to the Commissioners from the parish Vestry of St. John's, Hampstead. It expressed a view of the police which revealed a remarkable change in outlook. Inspector Edwards of Hampstead had been accused, by a dismissed constable, of falsifying accounts with regard to small sums, and he had been immediately

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suspended by the Commissioners, pending the usual inquiry. The Vestry petitioned for his immediate reinstatement, and praised, effusively, the work that had been done by him. A letter from Dr. Samuel White accompanied the petition, and expressed the writer's 'grateful recollection of his [the Inspector's] zealous and effective services when I resorted to his protection in December last upon receiving a very violent letter threatening my life and the destruction of my church here, signed "Swing" '.

The flood of letters from titled and other influential individuals who assumed the right to influence appointments and promotions in the police showed no sign of abatement during 1832, and no effect of the firmness with which the Commissioners constantly opposed it. In August, Superintendent Skeen of E Division died suddenly of cholera, and the Commissioners were immediately inundated with requests and demands regarding the filling of the vacancy which was created. Mayne's reply to one of these letters exhibits not only his firmness, but also his ability to combine tact with direct approach to the subject-matter of his correspondence :

LIEUT.-GENERAL SIR HERBERT TAYLOR, G.C.B.,
Windsor Castle.

August 27, 1832.

MY DEAR SIR,

I have the honour to acknowledge the receipt of your letter of the 24th inst., enclosing a petition from Mr. Bronckhorst for the appointment of Superintendent by desire of Prince George of Cambridge, and stating that His Highness was much interested in Mr. Bronckhorst's success.

I beg leave in the absence of Colonel Rowan, in reply, to say that in performing the difficult and anxious duty confided to us by the Secretary of State for the Home Department of recommending to him Officers for promotion, I am only to select that officer for his Lordship's consideration who appears to me to possess the highest qualifications for the appointment and in all respects is most deserving of promotion. I regret extremely that I am unable upon this occasion to recommend Mr. Bronckhorst for promotion.

I beg in conclusion to express my hope that His Highness, Prince George of Cambridge, will extend to me an indulgent consideration of the motives by which I am actuated in the performance of my duty in this instance, as it would have been a subject of highest gratification to me to have been enabled to view more favourably the case of a person in whose success His Highness has been pleased to take an interest.

Your obedient servant, etc.,

R. MAYNE.

The Commissioners appointed Inspector William Edgar Grimwood to be Superintendent of E Division on the date of Mayne's letter to Windsor. They were immediately pestered by another flood of letters regarding the filling of the vacant Inspectorate.

When the placing of the Clothing Contract became due for reconsideration in 1832, the effect of Home Office dilatoriness in coming to a decision inspired Hebbert to express his impatience and restless energy in fresh and amusing literary efforts, which deserve mention, although they repeat facts which were already well known in police and Government circles. It would be unfair to say that Hebbert was never able to rest satisfied with the praise for his achievements which was generously bestowed on him by others, because it is obvious that he enjoyed letter-writing for its own sake. Over-indulgence in the habit hid from him the transparent naivety of many of his assertions. His fear that the Home Office intended to throw the Clothing Contract open to public competition in August prompted him to address an astonishing literary effusion to the Commissioners on May 28, which consisted of twenty closely-written foolscap pages, and contained the following remarks :

Upon the first year's supply of clothing I lost a great deal of money and was so overwhelmed with the worrying business of the Establishment that I lost many friends and connections in consequence of the almost exclusive attention I had to give to the exigencies of it.

Upon the second year's supply I gained no advantage, although I might have suffered no pecuniary loss, but my labors and anxiety remained nearly unabated from those of the first year.

With the result of the third year's supply I should be disposed to be satisfied.

I feel that my connection with the Establishment has at present no permanency of character, and I must confess that although I am conscious of having rendered a great benefit to the Public, I can look with no pleasure on the past, unless the prospect for the future may be colored with something like grace and favor on your part, and assume a complexion, which at present it has not, that may excite in me such a degree of thankfulness and pleasure as shall supplant that feeling of uncertainty which at present prevails with me. . . .

I therefore do myself the pleasure of sending you the accompanying Document which I have drawn up on the subject, and which if it should not be laid on the Table of the House of Commons may be useful to yourselves.

What follows at this point is a long series of Questions and Answers which are all compiled by Hebbert, and provide an outline of the history of the Clothing Contract and of his handling of it. A few examples are of historical interest :

Q. What practice has prevailed with respect to the clothing of men who have been dismissed from the Force ? Has it been taken from them and placed in store ? And if so, what afterwards has become of it ?

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- A. When the Force was first formed many worthless and dirty characters were, through the false or careless Characters given of them, appointed to it ; and the dismissals from it were very numerous indeed ; and, as much damage was consequently done to the clothing ; and as many endeavours were made to cause the men who remained on the Force to become dissatisfied and troublesome, it was at first considered right that new men should have the option of having new clothing instead of that which had been worn and damaged by their predecessors. But Mr. Hebbert being aware from his experience that such a measure would lead to a very great expenditure whilst the unappropriated clothing would eventually prove a total loss, took the most decided steps for the recovering of the clothing of the dismissed men, and for the placing of it in a store, from whence he issued it to newly-appointed men, and hence a store has been established from which all men appointed to the Force at intermediate periods are now provided with worn or used clothing for the period which has to elapse before the arrival of the next period when provision of a general supply of new clothing is to be made for the whole of the Force.
- Q. What has been the total number of effective men for each year ?
- A. For 1830 : 3,442 men.
For 1831 : 3,308 men.
For 1832 : 3,307 men.
- Q. What number of dismissals affecting the transfer of clothing has taken place up to the present period ? And is their number greater or less than the number of men on the Establishment ?
- A. The number of men dismissed from the Force from the commencement of it up to 30th April 1832 was 4,037, which is 730 more than the entire strength of the Force, and the clothing of the whole of the dismissed men has passed through the routine of the store.

The last few questions ask what would happen in the event of the Clothing Contract being given to another contractor, and what changes would follow. Hebbert provided wide spaces for answers, but modestly left them blank. Another long letter from his fertile pen was addressed to Joseph Hume, on August 9. It repeats all the detail of Hebbert's praise of himself, and ends with the following disarming request :

As a man's sole recommendation of himself to another may oftentimes be properly suspected, you will oblige me by giving to Mr. Lamb, to whom I am a stranger, such an opinion of me as you yourself may have of

Yours Very Faithfully,
C. HEBBERT.

On August 23, Wray asked for and received Melbourne's long-delayed decision on the subject of the contract. Hebbert's fears evidently led him to offer a revealing, last-minute concession in the matter of his prices. Wray wrote :

Mr. Hebbert is willing to reduce his charge by £500, being six-pence a yard upon the price of the cloth, tho' I cannot ascertain that the state of the market would allow of such deduction.

The Home Office at once replied that Lord Melbourne approved the contract being continued by Mr. Hebbert, 'subject to the deduction being made as stated in Mr. Wray's letter'.

The only serious battle between the London mob and the police in 1832 occurred as part of what are known as the 'Fast Day' disturbances of March 21. The Whig ministers had been coaxed by religious influences into directing that this date should be observed throughout England as, 'a day of fasting and humiliation on account of the cholera.' Some of the leaders of the London Political Union promptly issued a counter-proclamation, announcing their intention to celebrate the date as a 'Feast Day', by a distribution of bread and meat to the poor, in emphasis of the belief that the sustained fasting to which these were already subjected was the direct cause of the severity of the prevailing epidemic. The Ultra-Radicals secured control of the plan and decided that it should include another attempt to defeat the New Police. A mass meeting was arranged to be held at Finsbury Square.

According to the *Annual Register*, twenty-five thousand people assembled there by the early afternoon, and passed the time by abusing and stoning a large force of police which had appeared there also. The police were given orders, presently, to clear the Square, a move which was foreseen by the mob leaders, who had chosen the battleground on account of the line of safe retreat which was provided for their forces by the adjacent City boundary, over which the police were not allowed to follow them. It is clear from what transpired that the full value of the baton-charge tactics was not yet clearly understood by police leaders. The men were divided into two bodies, each of three lines in depth ; one body taking the left- and the other the right-hand side of the Square, at a pace which seems to have been a slow walk.

When the police moved, the groans and hooting of the populace were deafening. Vast many stones were thrown, several of which injured the police, about twenty of whom had their heads severely cut. Two or three of them were so much injured, that they were sent off the ground by the orders of the police-surgeon. It took upwards of half-an-hour to effect a complete dispersion of the populace from the Square, and even then they posted themselves in large bodies in adjacent streets, hooting and pelting the police.

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Strong divisions of the police were then posted at the ends of Moorfields, Chiswell Street, City Road and Sun Street, leading into Finsbury Square, and the assembled multitudes gradually melted away.¹

The police records of this battle are scanty. There is mention in the Press of the curious fact that a magistrate, Bennet, of Queen Square, was present with the Commissioners, and that he gave orders to the police, and there is vague reference later to an assumption that he caused trouble by his interference.² There is no evidence in the police records of any friction or unpleasantness between the Commissioners and Bennet, and trouble would certainly have occurred if he had dared to issue orders to them or to their men. There is slight mention in the Press of the frustration of police intentions by the City rules, which prevented rapid and complete dispersal of the mob.

¹ *Annual Register*, 1832, Chronicle, p. 40.

² Select Committee on Policemen as Spies, Report, 1833, p. 181.

CHAPTER XV

1832 (*continued*)

THE passage of the Reform Bill through Parliament in 1832 makes this year one of the most important in the political history of the nation. In slightly modified form, the Bill was reintroduced in the House of Commons in December 1831, and quickly passed. The debate on it in the Lords began on April 9, 1832, and the second reading was carried by a majority of nine on April 14. When the Bill reached the Committee stage, the intention of the Lords to wreck it became obvious, and the Prime Minister, Earl Grey, asked the King for powers to create fifty new peers for the purpose of ensuring victory. On the King's refusal to comply with the request, the Whig Cabinet resigned, and the King sent for Wellington. A wave of anger and indignation which accompanied the spread of this news had the effect of closely uniting the middle and working classes in belief that an attempt was about to be made to prevent reform by military force, if its use should become necessary.

It is an unquestionable fact that preparations by Whigs and Radicals to resist Wellington envisaged counter-military action, including the barricading of Birmingham and other provincial towns, the seizure of Tory hostages, and the arming of members of the provincial Political Unions with muskets and pikes where these were available. It was arranged, also, that London's part in the proceedings should be to threaten stoppage of all trade and business and to organize mass refusal to pay taxes. The strength of the army was eleven thousand men, and it was known that Wellington's plan was to use four thousand of these in the provinces, and to keep the remaining seven thousand for the purpose of overawing the two million inhabitants of the Metropolis. Whig and moderate Radical leaders in London decided that the number of troops which were allocated for control of the provinces was wholly inadequate for the purpose, and that the function of London should be to give no cause for military action, but to make certain that the military authorities would not dare to risk the removal of any troops from its vicinity for the purpose of reinforcing the troops which were in the provinces. The weakness of the Whig-Radical plan was the everlasting uncertainty of the position of the moderate Radical leaders in their contest with their extremist colleagues for control of the working-class masses of the capital. The extremists wanted immediate mob-action in London. The moderates had arranged that provocation of military action, if it should become necessary or advisable, should

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be begun at Birmingham, in view of the weakness of London to withstand dislocation of food supplies.

The final defeat of Wellington's attempts to form a government was secured by the success of the conception of inviting all holders of bank balances to withdraw these in the form of gold. The country was placarded with the slogan : *To Stop the Duke Go for Gold*. The effect of this demonstration on the Tory leaders and the possibility of the banks having to close their doors secured victory for the Whigs. Gray returned to office with assurances that the Reform Bill would be passed by the Lords without mutilation. The English Reform Bill became law on June 7.

Most historians attribute the fact that there were no serious disturbances in London during the critical period from April to June to the good sense, intelligence and wise restraint of the Radical leaders of the Political Unions, of whom Francis Place was one of the most prominent. This assumption ignores the record of the wiser leaders' struggle for power over the unions, which they were waging with their extremist colleagues. Throughout the whole period of the Reform crisis, the intrigues of the extremists were as much a cause of concern and anxiety to the moderates as were those of the Court and the Tories. The entire power of the Radical extremists lay in their oratorical ability to move the masses, to assemble meetings, and to provide by these means opportunities for destructive rioting by the underworld mobs of London. In 1832, this power was seriously and effectively challenged by the New Police, to the delight of Place, and others who were beginning to understand the value of the police to the cause of constitutional and social progress.

The conflict for Parliamentary Reform which was waged between Whigs and Tories in 1832 is of much less historical significance than the war which was being waged at the same time between the New Police and the underworld mobs of London, led by Radical extremists. Of this war, the riots of 1830, 1831, and of March 1832 were battles which had ended well, but indecisively, for the police. The Finsbury Square riot of March represents the only successful attempt by the extremists, in 1832, to bring the main body of their forces into action, although skirmishing never ceased. After each battle, to induce the mobs to make frontal attack on the police became an increasingly difficult process. Place and his friends deserve history's commendation of them to the extent that their fear of their extremist colleagues led them to discountenance mass gatherings during the Reform crisis, but the success of the moderates in securing and maintaining their authority was due entirely to the existence and growing power of the police, the growing disinclination of the mobs to face them, and the difficulties which this fact was creating for the extremists. Without the existence of the police, the moderate

Radicals in London would have been powerless to check or to prevent the organizing of destructive rioting, which would have ruined the success of their passive-resistance programme for the smooth passage of the Reform Bills by provoking military action prematurely. It would be difficult to estimate the extent of the disaster which would have followed, in view of the excitement which had been engendered throughout the country, and the preparations for civil strife which had been made in many parts of it with the acquiescence, and even the approval, of the Whig middle-classes.

The second act of the Frederick Roe drama was played in 1832. Sir Richard Birnie, the Chief Magistrate of Bow Street, died on April 30. Although his relationship with the Commissioners was not cordial, there is evidence which suggests that his attitude towards the police was less hostile than that of many other magistrates, and this was due largely to the tact and ingratiating ways of Superintendent Thomas, who attended Bow Street almost daily. Birnie's life-story is one of the most romantic in the annals of poor apprentices who acquired fame and fortune in London, but he died in straitened circumstances, and his widow was refused a pension by Melbourne. Birnie was a poor boy who came to London from Scotland to seek his fortune. Mackintosh, the Haymarket saddler, engaged him as an apprentice, and he married his employer's daughter. One of Mackintosh's customers was George IV, when he was Prince of Wales. He insisted on being served by no one else except Birnie, and interested himself in his career.

On May 2, 1832, the *Morning Herald* announced its expectation that the office of Chief Magistrate of Bow Street was about to be abolished, and that the necessary public duties with which it was connected would be performed in future by the Metropolitan Police Commissioners. On May 29, for reasons which cannot be traced, the honour of being Chief Magistrate was conferred by Melbourne on Mr. Frederick Adair Roe of Marlborough Street, and he at once received the knighthood which accompanied the appointment. His position at Bow Street gave him greatly increased scope for irritating the Commissioners and increasing their difficulties. On July 20, Mayne wrote the following letter to the Home Office :

The Commissioners of Police have the honour to enclose for the information of Viscount Melbourne a report of a case which occurred in the Covent Garden Division on the 26th inst., shewing the obstacles to which the Metropolitan Police are subject in the performance of their duty, and the failure of the probable discovery of stolen property, as well as the detection of the guilty party in this particular case, in consequence of such warrants not being granted at Bow Street to the officers of the Metropolitan Police.

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The report which is mentioned in the letter is missing, but earlier and later correspondence shows that its subject was not an isolated cause of complaint. The Bow Street officers' collaboration with criminals was notorious, and it was known that they were the agents in a widespread and highly-organized system of compromise with thieves and receivers for the restitution of a proportion of stolen goods in return for agreement by the owners not to prosecute. On many occasions the New Police had spent weeks in securing evidence against thieves and receivers, only to find that the search-warrant which the results at last justified them in demanding was handed by the magistrate not to them, but to one of his own officers who, as likely as not, was in league with the criminals whom they were seeking. In the particular instance of which the Commissioners complained in July, the Bow Street officer to whom the warrant was given had refused to make use of it until the following day. Next morning, when he accompanied the police in order to serve the warrant and enable them to make a search, the stolen goods were found to have disappeared in the course of the night.

Melbourne asked Roe, formally, for an explanation, and he replied, with vagueness which was habitual with him, that he was unable to see how the custom of giving search-warrants to Bow Street officers could possibly be regarded as interference with the Metropolitan Police. He added :

In conversing on this point with my brother magistrates, they strongly express the conviction that such a system can in no way throw obstacles in the way of the Metropolitan Police, or cause any failure in the recovery of stolen property.

Melbourne ignored the fact that no attempt was made to answer the Commissioners' complaint and, as usual, he let the matter drop without supporting them, and without taking any steps to lessen for the police one of the most irritating of their many difficulties.

The London parishes played a prominent part in the struggle for parliamentary reform, and its achievement was soon followed by an intensification of their consistently-sustained, verbal attacks on the police. On June 19, within a fortnight of the passing of the Reform Bill, a notice appeared in the Press announcing that the parish of Marylebone had decided to petition Parliament on the subject of the injustice of the police-rate, and it became clear, later, that the Vestry intended not only to make formal protest against it, but to refuse to pay it, and to invite the authorities of all other parishes in the police area to follow their example. On October 10, as the consequence of the campaign which the Marylebone Vestry had initiated, Wray was obliged to write the following letter to the Home Office :

In consequence of the great difficulty in obtaining from the

different parishes the very large arrears of Police Rate due under Warrants issued by the Commissioners, I am under the necessity of again applying for a loan of money from the Treasury. . . .

The circumstances under which this application is now made are most urgent, as in consequence of the unexpected refusal of the Parish of Marylebone (only communicated to me yesterday) to pay the last instalment of their balance, according to agreement, I have been obliged to provide for the payment of this day by private loan, the balance in hand being under two thousand pounds. Although for many weeks past our funds have been nearly in the same state, I have abstained from making application for any further loan, in the hope that the weekly receipt and expenditure might be nearly equal. This sudden determination of the Parish of Marylebone to refuse the balance due by arrangement and their attempt to induce other parishes to join them in throwing difficulties in the way of levying the Police Rate will form the subject of another letter, which I shall have the honour to address to you to-morrow.

The second letter deals more explicitly with the subject of the Marylebone agitation and its consequences :

I beg leave to submit for the consideration of Lord Viscount Melbourne the circumstances which have occurred in the Parish of St. Marylebone, relative to the non-payment of the Police Rate.

Under the Police Act, the whole sum demanded by any Warrant becomes payable in forty days after the date of its service on the Overseers.

Many of the parishes having complained of the inconvenience and difficulty of paying a large sum at once, arrangements were subsequently made with them for liquidating the Warrants by instalments.

The Parish of St. Marylebone having hitherto paid about two thousand pounds, per month, and the last instalment having become due on the 11th instant, I received an intimation that the money would not be paid, under a mistaken notion adopted by the Vestry that they were only bound by the Act to pay so much as eight pence in the pound would produce, after deducting for empty houses, and for parties unable to pay their Rates.

This construction of the Act has been already attempted in other parishes and abandoned ; as the words are too clear to admit even a doubt. We are entitled to eight pence in the pound, payable out of the Poor Rate, upon such rental as is returned to the County Rate.

The Select Vestry of Marylebone, or rather, I understand, the New Members, have thought fit to support a different opinion, and have opened a communication with other parishes, with a view to reduce the payment.

It becomes therefore a question of great importance to consider the present consequence of any general resistance to the amount of the Rate, and in what way the Police can be carried on.

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The remedy under the Act for non-payment is by Distress upon the Overseers to whom the Warrant is addressed, or to such persons as, under clause 24, 10 Geo. IV are deemed Overseers for all purposes of this Act.

In all the parishes governed by Select Vestries the Board of Vestry Men is very considerable, and there would be great difficulty in levying upon all, or still greater, in making a selection. The fact is, that the objection has been raised by the Vestrymen elected under the late Act,¹ who are for the most part persons of an inferior station, with whom the Gentlemen will not associate, and in their absence the New Party have now questioned the propriety of our demand.

Under these circumstances, I beg to submit the adoption of one of two modes which will enable us to defray the expense of the Police Force ; either by directing the Provisions of the Act to be enforced against all who either refuse or neglect to pay the Rate, or by obtaining such temporary assistance from time to time from the Treasury as may supply any deficiency, until the meeting of Parliament.

I do not apprehend that a large sum would be required. Hitherto, none of the parishes have refused payment, but have only asked for time ; it is only under the recent circumstances which have arisen that I expect any difficulty.

I beg to enclose a Statement of sums now due from the parishes, amounting to £56,407 7s. 10d. Of these, it will be observed that the amount long overdue is not very large, and I do not think that, ultimately, any of the balance will be lost.

I beg to observe that any attempt to distrain upon the Members of the Select Vestry would necessarily lead to the resignation of all the respectable persons who now belong to them, and would create a very unpleasant feeling towards the New Police.

On the 13th, Wray was informed that the Treasury had agreed to advance the sum of £5,000, subject to its being refunded at an early date, ' together with the sum of £10,000 advanced in February, which has not been repaid '.

The parish war continued. On November 7, Wray wrote to Philipps :

I have the honour to request that you will submit the enclosed Statement of monies, due from the Parish of St. Pancras, for the consideration of Viscount Melbourne, and acquaint his Lordship that repeated applications for payment having failed, I beg to suggest the expediency of enforcing the provisions of the Act against the Overseers for recovering the amount.

The St. Pancras debt to the Metropolitan Police was £10,584 13s. 4d. There are signs that Melbourne was becoming alarmed. He

¹ Hobhouse's ' Act for the Better Regulation of Vestries,' 1831, which permitted Vestry elections.

instructed Wray that 'the provisions of the Act should be enforced without delay'. This threat appears to have quickly ended resistance from St. Pancras. Marylebone remained unmoved.

One of the most effective arguments which was voiced by the parishes was their claim that the amounts demanded in the Commissioners' warrants were arrived at by calculating eightpence in the pound on the full amount of the parish assessment, without making allowance for losses on empty houses, which were not rateable, and losses caused by bankrupts and absconders. The parishes argued that the sum which they were obliged to pay to Wray may have represented eightpence in the pound on the total of the county assessment, but that it represented, often, more than a shilling in the pound on the assessed value of property on which they were able to collect the rate. The complications which arose from this argumentative basis produced some curious results. On the plea of legality, some of the parishes laid claims against the police for the repayment of huge sums which were alleged to have been illegally extorted, because they greatly exceeded the rate of eightpence in the pound which the Commissioners were allowed by law to demand. The chaotic, unaudited state of the accounts of most of the parishes provided a valuable basis for Vestry tactics in complicating the confusion of the arguments with which payment of the police-rate was resisted.

On November 17 the Marylebone Vestry passed the following resolution :

Resolved : To appoint a Committee to see the Home Secretary to lay before him that the parish has paid on account of the Police Rate a very large amount more than has been collected on account of that Rate at eight pence in the pound ; and, further, that it appears from the returns to the House of Commons that the Commissioners do not require a Rate of Eight Pence in the pound for the purposes of the Act for this year.¹ And to request that the Warrants may be amended, and credit given for such sums as have already been paid in excess.

The Vestry then drafted a document with the heading : *New Police. Utterior and Collateral Points to urge against the continuance of the New Police in the Parish of Marylebone.* It was divided into two parts, of which the first covers a charge against Peel of the truth of which there is no historical evidence available, but there is ample proof of the falseness of the claim that the parish employed an 'excellent and efficient Watch'.

Firstly. The injustice of its introduction into the Parish of St. Marylebone after the implied pledge given by Sir Robert Peel founded upon the evidence adduced and the truth admitted of

¹ An entirely unfounded assumption.

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the excellent and efficient Watch kept up both by day and night in the Parish, and which pledge prevented the Vestry or the Parishioners taking the constitutional means to prevent its introduction which they would undoubtedly have done had they supposed such an important alteration would have taken place.

The second part of the document argues the need of immediate restitution of parish control of the police. The Vestrymen were so eager to achieve this end, and to recover the many sinister perquisites of which central control of the police had deprived them, that they overlooked the contradiction of their previous statement regarding 'the excellent and efficient watch', in which their naïve plans for the future involved them.

Secondly. The want of a Control by the Parochial Authorities is a great defect in the present system. They ought to retain the power given them by the Common Law of appointing, paying and discharging the Parochial Day and Night Watch. If, however, to improve the old system of Watch, which as a whole might have worked badly, a more uniform system may be required, let an alteration be made, but such a one as shall not destroy a wholesome constitutional right. Let us not go from one extreme to another, but see if there is not a medium course to be steered. To improve the old system of Watch and the present one of the New Police, an Act might be passed compelling every parish to provide a given number of able-bodied men to patrol the streets by day and night, the Secretary of State being empowered to call upon the Parish Authorities, so often as he saw occasion, to furnish a third, or some reasonable proportion, of the whole force in each parish; and if it is thought advantageous to the public that a central or head office with Commissioners should be continued for the purpose of receiving reports from all the Metropolitan districts, the Parochial Authorities should be required to cause returns to be made by their officers in the same way that the returns are now made, but this Head Police Establishment being for the benefit of the whole kingdom, its expense ought to be paid out of the Consolidated Fund.

Having thus prepared their arguments, the Marylebone Vestrymen wrote to Melbourne, on December 4, requesting him to receive a deputation from the parish. What transpired at the meeting is not recorded, but it is clear that Melbourne was not present, and that he left the reception of the delegates to Phillipps. Melbourne's feelings can be imagined. It is obvious that he concealed a strong determination to preserve the New Police Institution at all costs, and to keep it in being, without weakening in any way its existing organization and its control by the Commissioners and the Home Office. He and his ministerial colleagues had reason in 1832 to be devoutly thankful for the freedom of the New Police from parish control. Their value to the Whig Government throughout the critical months

of the Reform crisis had been clearly proved, and they were providing in London the basis of an answer to the Tory charge that the Whigs were unable to preserve order. Melbourne had given secret orders to the police to protect the persons of Members of Parliament of all parties from molestation and assault by crowds during the Reform crisis, with the result that there had been no mobbing of unpopular members at Westminster, no damage to limbs or bodies or carriages, and no re-enactment of the usual scenes which had occurred on many other occasions of political excitement, such as that of the debate on the Corn Law Bill of 1815 when, for lack of police, the business of both Houses of Parliament had been conducted in the near presence of a howling and immovable London mob at whose hands several of the speakers had suffered injuries.

Melbourne was indifferent to attacks of any kind on the police, so long as neither he nor his ministerial colleagues were the direct objective of them. He was the principal target of the parishes, although the Commissioners and their men were subjected to incessant skirmishing. The amazing effrontery, contradictions and lies of the Marylebone and other pronouncements were frequently relieved by humour, in the Wilkes' tradition, but it is unlikely that this was either recognized or appreciated by Melbourne, against whom most of it was directed. The deputation which met Phillipps in December presented him with a long *Memorial on Vellum* for Melbourne, from the *Parishioners and Ratepayers of the Parish of St. Marylebone*. The following extracts from it show that posterity has reason to hope that Melbourne read it :

Respectfully Sheweth—

That your Memorialists have devoted much time and undivided attention in investigating and, according to their judgement, balancing the advantages and disadvantages of the old and new system of Watching the Metropolis, equally as regards the expense, the efficiency, the constitutionality, and the mode in which the existing Force is administered and controlled, and also its various Appointments, diverted from their true and legitimate channel, (those who supply the funds for its support), and rendered a source of patronage to aliens to the interests and feelings of the Parishioners. Your Memorialists beg leave to lay before your Lordship the following observations, under distinct heads, as the result of their investigations.

1st. *Expense*. . . . This tax contrary to that rule which governs every other parochial assessment is chargeable not upon each house individually, but demanded from and paid by the parish as a Corporate Body, hence it follows that the balance arising from unoccupied houses, insolvency, and absconding of tenants never can be recovered, and must therefore be wholly sustained by the solvent Rate-payers of the parish.

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Comparison :

| | | | |
|---|---------|---|----------------|
| To Expense of New Police for two and a half years ending the 30th June 1832 | £60,143 | 0 | 0 |
| Poundage on collection of above sum | 750 | 0 | 0 |
| Stamp Duty on receipts .. | 120 | 0 | 0 |
| | <hr/> | | |
| | £61,013 | 0 | 0 |
| By Expense of the Old Watch for two and a half years immediately preceding the Establishment of the New Police | £21,000 | 0 | 0 ¹ |
| Balance being the difference be- tween the expense of the new and old system of Watching .. | £40,013 | 0 | 0 |
| | <hr/> | | |
| | £61,013 | 0 | 0 |

Thus, my Lord, do your Memorialists present to you a Statement borne out by the unquestionable testimony of the Parochial Books, and presenting the appalling difference of expense of £40,013 os. od. in the short period of two and a half years, an expense which your Memorialists respectfully submit can be justified (if at all) only by a proof that the former mode of Watching was not worth anything, and that the present mode places the persons and property of the inhabitants in a state of perfect security, that crime has ceased to exist, and that robbery is no longer known, but by name. But how is the fact ! The numerous convictions at every Session evidently prove that if Crime has not increased it has certainly experienced no diminution.

2nd. *Constitutionality.* Your Memorialists respectfully beg leave now to approach that part of the subject the most delicate in its nature, and the most important in its consequences, viz., whether the Force, as at present constituted and governed is, or is not, accordant with the spirit of the Constitution and the Freedom of the Subject ; a Force which will most likely, 'ere long, pervade the whole kingdom, formed upon a Military System, regulated and directed by persons appointed by the Government, and altogether uncontrolled by those who pay for it, and the protection of whose persons and property is the presumed object of its formation.

It will require no power of argument or deduction of reason to satisfy a mind, constituted like your Lordship's, that a Force such as this must be incompatible with the Liberty of the Subject. It differs from a Military Force only in the name, and whilst it possesses all the attributes and powers of an army, under the insidious name and ostensible character of Conservators of the

¹ This figure was wholly unverifiable from parish accounts.

Peace, it may, at any moment of public excitement, be called out, at the will of the then existing government, in array against the people, from whom its members derive their daily pay, little inferior to that of an Ensign in the army.

Your Memorialists are free to admit that so long as the Helm of the State is guided by those tried Friends of the People, (the Whigs), who 'thro' evil report and thro' good report' have for nearly half a century steadily pursued an undeviating course, and have ultimately succeeded in restoring to the People their long-usurped Rights, they have nothing to fear, but, my Lord, it is not enough that Caesar's Wife should be virtuous, she should also be unsuspected, so, my Lord, it is not enough that the political integrity of the present Government is a guarantee to the people against the abuse of such a Force, they should use every legitimate means to put an end to a system that may, by any possibility, or under any Government, endanger the general Liberty.

It is clear that hesitation to interfere with Peel's police conception and manifestations of willingness to make every possible use of it had already convinced impatient and disappointed Whig followers that 'Caesar's Wife' was far from being above suspicion. The Memorial continues :

Your Memorialists cannot forget that this Force was first organized by a power, far from being the avowed friends and uncompromising advocates of the People, nor can they forget the fears that agitated their bosoms as to the use that *might* (your Memorialists do not say *would*) have been made of that Force, on the recent Resignation of the present administration, at a moment of the greatest popular excitement perhaps ever known in this Metropolis, but their immediate return to power preserved the public tranquillity and fortunately deprived your Memorialists of the proof that their apprehensions were well grounded.

3rd. *General Management.* Your Memorialists, always protesting against the existence of the new police Force, respectfully submit it to your Lordship that if it must be continued, if the necessary expenditure must be borne, the Office of Commissioners should be abolished, and the conduct, management, and direction of the Force, for whose support such expenditure is created, should be placed under the immediate control of the Parochial Authorities, receive their pay from them, and be subject to them only, as to their appointment, dismissal and employment. That resident householders should, as formerly, be appointed to take, in their turn, the investigation of all night charges, instead of that duty devolving on Superintendents and Inspectors, and, in fine, that the Parochial Authorities should be invested with all the Powers, Privileges and control now exercised by the Commissioners.

Your Memorialists in closing their Statement cannot refrain from expressing a hope that it will be honoured with your Lordship's most serious attention, a hope springing from a decided

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conviction that a Force so unconstitutional in its principles, so expensive and extravagant in its maintenance, and so removed from its natural and legitimate control, would never have been called into existence by an Administration, the avowed end and object of whose government is a Restoration of Public Rights, an alleviation of the public Burthens, and a diminution of the public Expenditure.

May it therefore please your Lordship to take the subject of this Memorial into your consideration, and introduce a Bill into the ensuing Parliament either altogether repealing the Laws establishing the new police, or making such alterations therein as may vest the control, management and expenditure in the different Parochial Authorities, thus in some measure removing the jealousy of the public at the existence of such a Force, and reducing the expense of its maintenance within a reasonable and economical compass.

The effusiveness of this Memorial and the absurdity of its demands could not hide, even from Melbourne, the simple objects of its compilers, which were the restoration of Vestry control of the police, recovery of the perquisites which this provided, revival of the power of gangsterdom, and of all the immense scope for lucrative evasion of the laws which the parish authorities formerly enjoyed, particularly in the parish of St. Marylebone, which was more renowned for evil administration than any other parish in London.

In the meantime, Wray was obliged to suffer the receipt, from the Home Office, of letters which were embarrassingly similar in tone to the demands which he was addressing to the parishes.

From the Treasury to the Home Office, November 10, and passed to Wray :

I am commanded by the Lords Commissioners of His Majesty's Treasury to request with reference to the letter of this Board of the 13th Ultimo, that you will move Viscount Melbourne to give such instructions to the Receiver of the Metropolitan Police Establishment as will insure the repayment of the sum therein mentioned in sums of £500 each, the first payment to be made as early as possible, and the latest to be postponed on no account beyond the beginning of March next.

From Wray to Marylebone Vestry, November 28 :

In the original arrangement made with the Vestry of St. Marylebone, the Secretary of State for the Home Department consented to the Police Rate being defrayed by specific instalments, and it was agreed that the sum of £300 should be paid at the period of the Service of each Warrant, and the remainder by monthly instalments of £2,000 ; the last payment to include the balance.

Under these circumstances I shall consider the engagement as no longer existing, unless a further sum of £1,000 be immediately paid in completion of the first instalment as due upon the present Warrant. . . .

CHAPTER XVI

1833

COMEDY sometimes played a welcome part in easing the Commissioners' problems. In February 1833 a curious court case and its sequel had the effect of assisting public understanding and appreciation of the democratic values of police principles and functions, and were probably as beneficial in this respect as lessons which were the outcome of graver incidents. Soon after midnight on February 24, a drover who was employed by the Earl of Lucan arrived in London behind a herd of his master's cattle which he had been ordered to drive to Smithfield Market. It was his first visit to the capital, and he became a victim of its allures before he had been many minutes in its environs. In Oxford Street, an Amaryllis of the town beguiled him into sporting with her in the meagre shade which the glare of the new gas-lamps left available. He sat down with her on the pavement near the entrance to Oxford Court. The selected spot was on the beat of a prosaic and order-loving policeman called Jobson Taylor, who passed it once in every fifteen minutes in the course of his circumambulation of a neighbouring block of buildings. He told the magistrate next morning that what he saw on the first occasion on which he passed the delinquents disturbed his mind ; that what he saw on the second occasion roused his indignation ; and that what he saw at 1.15 a.m. in the course of his third tour of his beat since their arrival decided him to arrest them and take them to the police station. The magistrate severely reprimanded the drover, but dismissed him without punishment, on the grounds that he was a foolish, ignorant countryman who had never been in London before and knew nothing of the life of the capital and its snares. In accordance with what appears to have been a custom of the times, no penalty was inflicted on his accomplice.

The cattle also were on their first visit to London, but they showed themselves, in their own way, to be less susceptible to its lures. On the sudden cessation of the driving force behind them they promptly set off in vain quest of the green pastures of which they had been deprived, and they wandered, far and wide, among the streets and alleys of Marylebone, where most of the day-reserve police of D Division spent the morning, collecting and impounding them. In the meantime, the Earl of Lucan's bailiff waited impatiently at Smithfield for the herd, and missed the market on account of its absence.

The sequel to these events was the arrival of the Earl at Scotland

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Yard and a stormy interview between him and Colonel Rowan, whose patient but firm presentation of the facts of the case had no effect on the Earl except to infuriate him. Rowan explained the duties and functions of the police in general, and of P.C. Jobson Taylor in particular, and Lord Lucan opposed him with an argument which can be summarized in two short sentences: 'But you don't understand—the man was *my* drover!' 'But you don't understand—they were *my* cattle!' He retired, at last, angry and dissatisfied. On the following morning he called again, and demanded full reimbursement of the losses which he claimed to have incurred by missing the market at Smithfield and, also, the dismissal of Jobson Taylor or, at least, the infliction on him of an exemplary punishment. Failing the immediate fulfilment of these demands, the Earl added, he would take action through his solicitor to prosecute both Jobson Taylor and the Commissioners.

Rowan replied with a request to the Home Office that the whole case should be laid before Lord Melbourne. Connant, the Marlborough Street magistrate who had heard the charge against the drover, highly commended the behaviour and actions of Jobson Taylor, and strongly supported the Commissioners. The Home Office verdict was recorded in a letter which informed them:

Lord Melbourne entirely approves the course which you have adopted,
and Lord Lucan wisely decided to take no further action.

It can be said of Melbourne that he was usually willing to support the Commissioners when such action was clearly indicated as being less troublesome than that of opposing them. He declined to grant a request which they made to him, in a letter of January 22, that they should have a defined official status in attendance on the King on state occasions. Although the smooth conduct of state and public functions was becoming recognized as being due to the efficiency of the police, the two men who organized them were obliged to suffer much inconvenience from being unrecognized not only by Court officials and the military, but also by the public and, sometimes, by their own men. Their movements in the course of their tours of inspection in the streets were frequently and embarrassingly proscribed and limited by these causes. The Commissioners had not the advantages even of an official uniform, while the Chief Magistrate of Bow Street, whose police powers and responsibilities were a theoretical anachronism, enjoyed all the amenities of a uniform and of a defined and recognized Court position, on every public occasion.

With regard to difficulties which were the outcome of legal anomalies and public criticism, Melbourne's efforts to avert trouble from himself and the Government were a perpetual source of annoyance for the Commissioners. In June, Rawlinson, one of the Mary-

lebone magistrates, heard a case of assault in which the complainant stated that he called a policeman, who refused to make an arrest because he had not seen the blow that was delivered. Rawlinson made this remark by the complainant the text of a bitter attack on the Commissioners for having issued an absurd order to their men, and his outburst was widely reported by the Press. It seems incredible that any magistrate could have believed sincerely that the Commissioners were responsible for the legal limitation of police powers in cases of assault, but the incident is typical of the manner in which Melbourne allowed them to be the targets of unjust criticism, without making public his own responsibility for the orders which inspired it, and for the state of the laws, which he declined to alter.

The Commissioners wrote to Melbourne on June 13, calling his attention to Rawlinson's outburst, and to the fact that it was reported prominently in the newspapers of that date. The letter continues :

The Commissioners have for some time past abstained from making any representation to his Lordship upon such matters, but upon this occasion, when Mr. Rawlinson expressed so strongly his opinion that the order itself was very improper, and required alteration, and stated publicly that the conduct of the Police acting in obedience to that order was unjustifiable, and might allow the greatest criminals to escape, the Commissioners feel that such observations are calculated, if unnoticed, to destroy their authority over the Police, and to fix upon the Police themselves a most undeserved stigma, as if they were culpably ignorant and remiss in the performance of services which the public are entitled to expect.

The Commissioners consider it their duty to submit the whole case immediately to his Lordship, and to express their hope, most respectfully, that his Lordship will be pleased to take such notice of it, as to remove any impression that may have been made on the Public mind by the observations of Mr. Rawlinson.

This reasonable and dignified request obviously deserved the attention of an emphatic public rebuke to the magistrate and public correction of his error. Melbourne ordered the dispatch of a private letter to Rawlinson informing him that, ' the order as it stands is borne out by law ', and expressing, ' Lord Melbourne's strong desire that he should make private representation instead of a public lecture when, in future, he found anything of which to complain in the conduct or reputation of the police '. To the dismay of the Commissioners, they received from Melbourne, a week later, the draft of another order on the subject of police powers in cases of assault, and they were invited to express their opinion of its wording :

A Constable is not authorized to arrest or assist in arresting, or

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to take into custody, a person charged with an assault when the assault was not committed in the presence, or within view, of the Constable ; unless the person making the charge has received some manifest wound or bodily injury, in which case the Constable may arrest or detain in his custody the party so charged.

The basis of all the trouble which was being caused by the weakness of the law in cases of assault was Melbourne's refusal to make arrangements to have it altered. It was obvious that attempts to misinterpret it could have no other outcome than intensified legal confusion and difficulties for the police in the courts. On June 19, the Commissioners invited Melbourne to visualize the consequences that would inevitably follow the responsibility of interpreting the new order, which the police would be obliged to undertake. They asked him to announce that all policemen who were judged guilty of wrongful arrest and punished by a court as the consequence of their interpretation of the new order would be indemnified. They wrote :

The Commissioners have been fully sensible of the great evils of the present state of the law on the subject, and have long since brought the matter under his Lordship's notice, with a view to some alteration in the Law, but they feel it their duty to point out such practical objections, as strike them, to the proposed order, while the law remains unaltered.

Melbourne was unmoved, and the only effect of the Commissioners' pleas was an alteration in the wording of the second part of the order :

. . . ; but, if a person has been cut or wounded, and gives into custody the party charged with having given the cut or wound, the Constable is authorized to take the party into his custody, and keep him in safe custody until he can be brought before a magistrate.

In this form the new order was issued on June 22, and a copy was sent to all magistrates in the police area. It will be noticed that Melbourne was not only defying existing law and ignoring an emphatic opinion which had been given in 1831 by the legal advisers of the Crown. He was also deliberately saddling innocent policemen with the onus of facing the consequences of his action, because he was afraid that alteration of the law by prescribed constitutional methods would reveal to Whig followers the fact that he was increasing the powers of the police.

Having thus dealt with complaints regarding cases of assault, Melbourne then tried to satisfy the many critics of the discretionary powers which were given to Station House officers to refuse felony cases and to discharge, on recovery, individuals who were arrested for being drunk. In spite of earlier efforts by Melbourne to forbid

such exercise of discretion, the dictates of necessity had obliged him to permit it. On July 17, 1833, he instructed Phillipps :

... to request that the Commissioners will state in detail all the inconveniences or difficulties which they think may arise if all persons detained at the Station Houses under any charge were to be brought before the magistrates ; and if no discharge were to take place at the Station Houses, the power of taking Bail continuing, of course, as heretofore.

The Commissioners replied with a long letter, dated July 31, in which they recalled all the previous correspondence and conversations which they had had with Melbourne on the subject, and they enclosed reports of 277 cases of alleged felony and 706 cases of alleged misdemeanour which had been brought to station houses and refused by the officers in charge of them.¹ The reason for refusal was stated in each instance. The Commissioners' letter continues :

It is unnecessary for the Commissioners to point out to his Lordship the grievance that would have been occasioned in such a great number of cases had the parties wrongfully charged been detained in custody or held to bail. The power to take bail would not enable the Police to prevent such grievance, as that power extends only to charges of petty misdemeanours during the night ; even when it may be exercised, the party charged must be locked up till bail is sent for and the necessary inquiry made about the parties offering themselves as such.

With respect to the discharging at the Stations of persons brought in for drunkenness only, the Commissioners believe that, if all such were taken before a magistrate, it would cause an unnecessary exposure of some respectable persons ; and to the working classes it would occasion very serious mischief, from the loss of so much additional time, and the evil effects, in many cases, of confinement with dissolute characters, after they had become sober. As the question affects the Police, the Commissioners find that the number of persons confined for drunkenness discharged during the year 1832 was 25,702, and if all these had been taken before the magistrates the increased labour and loss of time occasioned thereby to the Police would have prevented the individual officers from taking the necessary rest, and materially interfered with the performance of their other, more important duties.

The Commissioners beg, however, to remind Viscount Melbourne that they in the first instance objected to the Police assuming the responsibility of discharging drunken cases without taking them before a magistrate, and they have since both verbally and by letters to his Lordship urged that authority should be given by law to the Police to discharge such cases, if it were considered desirable to continue such practice.

The Commissioners feel that the responsibility under which the

¹ These reports have not been preserved.

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Police now act will be very much lessened if an order can be legally and safely issued for their future guidance to receive all charges without inquiry, whatever may be the circumstances, and to detain the persons in custody, or hold them to bail, where that may be done, until they can be taken before a magistrate.

This remarkable letter reveals clearly the contrast between the outlook of the Whig politicians at the Home Office and that of the Commissioners, whose single-minded purpose was the furtherance, not of party or any other kind of policy, but of principles which would increase the efficiency of the police and their service to the public by prescribing all their powers within the limits of clearly-defined law. The letter reveals, also, the Commissioners' efforts to induce Melbourne to alter the laws by constitutional procedure, and to realize the folly of his belief that any other course was possible. He made no decisions on this occasion, and the Commissioners had to wait for many years for realization of the ideal of fully-legalized power and status which they had envisaged for the police.

There are no recorded instances, in 1833, of policemen being run over by carriages, or whipped, or otherwise assaulted by coachmen and footmen, but titled patrons continued to plague the Commissioners with requests for appointments and promotions. A third instance of their refusal of the demands of a Whig peer who, later, became Home Secretary and their immediate superior occurred on August 10, when Rowan sent the following letter to George Lamb :

Having made inquiry into the character and conduct of the police constable, William Speer, of the C Division, for whose promotion Lord John Russell has interested himself, I am sorry to say it appears by the report the Commissioners have received from the Superintendent under whom he serves that he could not at present be recommended for promotion without injustice to others, as his conduct has not been altogether such as to entitle him to such preference.

It was a natural consequence of their daily duties that the police were obliged to expose frequently, but without deliberate intention, the indulgence of individual members of the wealthy and aristocratic classes in peculiarly disreputable varieties of vice. Between 1830 and 1833 there was a series of scandalous cases in which members of well-known families were charged in court. Two of them were Members of Parliament. The consequences for the police were the reverse of what might have been expected in the political circumstances of the time. Reputable newspapers lugubriously deplored the existence of the evil practices which were revealed, but they joined in what was an almost unanimous Press condemnation of the police for unnecessary interference, and for unnecessary public exposure of depravity. It did not occur to these self-righteous

editorial critics that their contribution to public exposure of its existence was infinitely greater than that of the police. On account of the Press attacks which accompanied them, sensational cases were a frequent source of embarrassment to the Commissioners, but there is no sign that they ever hesitated to support their men, or that they made any attempt to check or restrain proceedings when any of them made a sensational arrest in the course of his duty. Delinquents were fearlessly prosecuted by police accusers with the approval of the Commissioners and without consideration of social status. Each offence was considered solely from the standpoint of its being a breach of law.

The inconsiderate attitude of the Press to the subject of these sensational cases had a marked and unfortunate effect in increasing the unpopularity of the police, but this was steadily counter-balanced by the effect on the public of the daily reporting of innumerable acts of bravery which were performed by individual policemen, and of many instances of their helpless suffering on account of cruelty or injustice. The following is a Superintendent's report which was submitted by the Commissioners to the Home Office, on July 19, 1833, with a request that they might be allowed to give financial relief to the constable whose injuries were described, as he had been found to be unfit for further service :

P.C. John Trery, E.60, joined the Police Force on the 21st September 1829, and has served in this Division, E (Holborn), up to the present time. His age is thirty-nine years. He is by trade a cooper, and married, having five children, one 12 years, one 10 years, twins in their 8th year, and one 5½ years. I beg also to inform you that he has been very seriously hurt on many occasions in the execution of his duty.

The first injury he sustained was in 1829 at the time the house of Mr. Rawlinson was on fire in Wells Street, when in saving Miss Rawlinson from the flames he was burnt in the side and the right eye in consequence of which he was under the care of Mr. Fisher, Surgeon of the Police Force, for one month.

The second he received was in May 1830, quelling a disturbance at a public-house in Newman Street kept by Samuel Cross. He had then four ribs broken by being thrown down stairs. He was taken to the Middlesex Hospital where he remained some time.

The third accident occurred on the night of the riot of 9th November 1830, at Temple Bar, upon which occasion his leg was severely hurt, and he was under the care of Mr. Clark, the Divisional Surgeon, for three months.

The fourth accident occurred on the 17th of August, 1831, when his head was cut open in preventing a man named Fairbourne from murdering his wife.

The fifth injury was on the 12th November, 1831, when his head was cut open again, both back and front. He was on this occasion

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rendering assistance to Henry Plume, late a P.C. in this Division, who was being ill-used by three men. He was conveyed to the hospital where he remained some time.

The sixth injury he received was being severely kicked and beaten by a Gentleman named Jonas Binns on the 9th of last month, when his ankle was put out, and the small bone of his leg so much injured that he will be a cripple for the remainder of his life.

W. GRIMWOOD,
Superintendent, E Division.

The Home Office instructed the Commissioners to pay Ttery the sum of £30, which was the maximum gratuity allowed by the Whigs. In Peel's time, the widow of a murdered policeman had been given a weekly pension of ten shillings and sixpence, but Whig ministers set their faces sternly against such extravagance. No other pensions were permitted either for policemen or their dependents. Whig ministerial generosity was limited to sums ranging from five to thirty pounds, and these were often granted grudgingly and reluctantly.

The report on P.C. Ttery is typical of a stream of others which flowed steadily from the Commissioners to the Home Office. Equally voluminous were their appeals to be allowed to employ legal assistance in difficult cases. The unreliability of Home Office support in this connection is made plain by the fact that the constables were frequently obliged to raise subscriptions among themselves in order to secure legal aid. The Commissioners often enhanced their pleas for it to the Home Office with reports from the Superintendents, of which the following is an interesting example :

Coppen, the accused, has for many years been a most dangerous Fence, purchasing from juvenile thieves. His wife was transported about ten months ago as a receiver. It is intended to set up an *alibi* for the prisoner Potts, and several well-dressed persons attended Hatton Garden Office for that purpose. Without Counsel to find out who and what they are, they will very probably succeed—in this as in all other cases of receivers there is no scarcity of money.

J. DIXON,
Superintendent, G. Division.

Another case concerns a policeman, Richard Smith, of H Division. He found two men stealing a cask of beer, and beat them off after a sharp fight. One of them whistled on his fingers, and a large crowd gathered and surrounded Smith. He was then knocked down by one of the thieves, 'and most brutally kicked by him and others of the mob,' and was 'unable for fifteen days to walk at all, and is still in a weak state, and is under great apprehension that he is ruptured, being much swollen from the violence of the kicks he received'. The

Superintendent who was the author of the report from which these extracts are quoted based his request for legal aid on 'the repeated attacks which have been made on the Police Constables in the same district,' and on the fact that the accused had engaged solicitors and counsel.

The Home Office appear to have allowed the aid of a solicitor in this case, and also in another which occurred at the same time, in November 1833. In the second case, the solicitor who was employed included in his account an item of £6 12s. od. for travelling and witnesses' expenses, to which the Home Office raised strong objections. Rowan's explanation is revealing :

The Commissioners beg to explain for the information of Viscount Melbourne that the whole of these expenses were incurred by the Police under the impression that they were to be covered by a subscription from the men of the K Division of the Police, which subscription they all volunteered, and were ready to fulfil ; but the Commissioners afterwards perceiving how necessary for the ends of Justice the assistance of a legal adviser had been, and the manner in which the Police would have been overborne and run down without such assistance, determined to submit the whole charge for the consideration of the Secretary of State, and they hope this fact will excuse the absence of technical correctness in the items of the Bill.

Whig parsimony is illustrated also by a letter of June 27, which was written to the Commissioners by the Superintending Surgeon, John Fisher. In accordance with an earlier suggestion which he had made, with the object of checking malingering, all men who were excused duty on medical grounds had their pay reduced by the sum of one shilling daily, during the period of their absence. This deduction secured an average annual sum of £1,428. The total medical expenditure on the Metropolitan Police, including the salaries of Fisher and the Divisional Surgeons, was £742, and it will be seen from these figures that the shilling-fine system provided a surplus of £686. The Home Office would not permit a penny of this sum to be used for medical or other purposes. Fisher's plea in June was to be allowed to spend £200 of the surplus in the form of small increases in the salaries of the Divisional Surgeons, because,

I have been long convinced that the present allowance is not more than equal to their actual outlay for medicine, and I believe from actual experience that the last two years' expenditure in some cases exceeded it.

The Home Office assumed, perhaps rightly, that selection as Divisional Police Surgeon was of greater value to a local practitioner than a profitable salary, but the system was unlikely to provide efficient medical service for the men. It is not on record that the Home Office granted Fisher's request on this occasion.

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There were frequent complaints against the police in the Press, during 1833, regarding their alleged negligence in failing to suppress pavement-loitering and the singers of indecent ballads. For dealing with these nuisances the police had no legal powers. Another cause of complaint was the noise that came from the cells at the station houses at night. The Commissioners' concern is shown by a letter which they wrote to the Home Office on August 1 :

The Commissioners of Police beg to forward herewith for the consideration of the Secretary of State the Surveyor's report and estimate of an alteration proposed in the Police Station, Vine Street, Piccadilly, formerly Parish Watch-house of Saint James's. This alteration is required in consequence of complaints of the screaming and noise of drunken persons confined in the Watch-house made by many of the house-holders in the Quadrant, the annoyance being so great that lodgers will not remain in their houses, and their property is in consequence greatly injured.

The Commissioners therefore take the occasion to state that great complaint is made by the public of the want of accommodation in the old Watch-houses now used as Police Stations ; that the accommodation is insufficient either for a due separation of persons charged with various offences, or even for affording space and air sufficient for the health of prisoners.

The Commissioners have hitherto refrained out of a regard to economy from recommending such an outlay as they fear would be necessary in order to make the alterations in the Stations, but they now feel it their duty to call his Lordship's immediate attention to the subject, and beg that his Lordship will permit them to order a survey to be made immediately of the Station Houses, and an estimate of the sum total that would be required to make such alterations as may be necessary to remedy their defects.

The wording of this and other letters shows the Commissioners' awareness of the reluctance with which the Home Office met their demands for improvements and reforms. The rebuilding of the station houses was postponed to a later date. In April, the Commissioners were successful in persuading the Home Office to pay the funeral expenses of all men who died while on service. The average annual death-rate was twenty-four, and it was the custom of the police to provide the costs of a funeral by a contribution of a shilling from each of the divisional colleagues of the deceased. The Commissioners pleaded that the men were becoming reluctant to continue this practice ; that Home Office payment of the expenses would be regarded with gratitude by the whole Force ; and that the total sum which would be required would not exceed a hundred pounds annually.

There were signs in 1833 of increasing activity on the part of the Commissioners in matters connected with social reform. Many

charitable and other bodies came to them for advice. In October, they made arrangements for the police to act as a link between the parishes and the Society for the Suppression of Juvenile Vagrancy, which offered to receive all destitute children found in the streets by the police. An undated letter of this period reveals the beginnings of the close consultative connection which Edwin Chadwick maintained with the Commissioners during his planning and administration of the New Poor-Law Act of 1834 :

E. CHADWICK, Esq.

SIR,

I am directed by the Commissioners of Police to suggest to you in reference to your conversation with me yesterday, relating to the habits of paupers, that it will be better to draw out a dozen questions on the point upon which you desire information, and the Commissioners will do everything in their power to obtain answers to them.

C. YARDLEY,

Chief Clerk.

In the tone of the Commissioners' correspondence there is definite indication of their growing confidence in themselves. They began a new habit of writing to *The Times* and other reputable journals, demanding, firmly but politely, contradiction of false reports about the police, and publication of the true facts, which they supplied. In the case of a policeman who had been falsely reported as being a stealer of meat, *The Times* responded by publishing a true account with the introduction : 'The following is, we have reason to believe, a more correct statement.' The incident inaugurated a slow but successful purging of false reports about the police from the columns of responsible newspapers.

In their dealings with the Press, the Commissioners adopted the wise and far-sighted policy of consistently ignoring the worst offenders among the Radical organs, particularly the *Weekly Dispatch*, after some early, tentative, but wholly unsuccessful remonstrances and attempts to secure just treatment. The *Dispatch* was the most bitter and unscrupulous of all the Press enemies of the police, but the injustice and ferocity of its attacks on them frustrated its policy in the course of time. These attacks became increasingly unscrupulous in proportion to the growth of public appreciation of the police, and they had the effect, eventually, of facilitating it, instead of preventing it, on account of the obvious transparency of the lies which they contained.¹

¹ But the greatest power in Ultra-Radical journalism was the *Weekly Dispatch* with political columns which specialized in highly-spiced attacks upon Bishops, Peers, Parsons, the Pension List, and *hoc genus omne*, and with news columns which were never so popular as when tricking out luscious Court accounts of the drunkenness or sexual misbehaviour of the wealthy. Even

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The *Dispatch* invented a peculiar phraseology of its own for the reporting of police cases and affairs. The Force was called 'The Blue Devil Corps,' 'The Metropolitan Blues,' 'The Gendarmerie,' 'The Raw Lobsters,' 'The Unboiled,' 'The English Janissaries,' or 'The Sanguinary Cerberuses.' Reports of court cases were preceded by one or another of the headings: 'New Police Tyranny,' 'New Police Oppression,' 'New Police Indecency,' 'New Police Brutality,' 'New Police Outrage,' 'New Police Ruffianism.' Instead of being referred to as 'the policeman' in a case, a member of the Force was called 'the soldier'. His uniform was his 'shell'. Sometimes, as variation, he was called 'the Bluebottle,' or 'the Caliban'. People who were arrested were described as having found themselves 'in the merciless grip of an unboiled lobster's claw.' The word, Inspector, was spelt 'In-spectre'.

All this ingenious nomenclature was used as the decoration of reports which were travesties of truth and included statements by magistrates, witnesses, and policemen whose warm denials of having made them appeared in various quarters, but never in the columns of the *Dispatch*. The only cleverness which its editor displayed was in his methods of avoiding actions against him for libel. The following is a typical example of the form in which false charges against the police were published:

The person who forwarded us an account of a policeman making two drunk women fight for his pleasure for a quarter of an hour while he held their bonnets and shawls should have favoured us with his name and address.

Many other lurid, invented stories about the police were printed in the guise of summaries of reports which the editor had decided to reject, and were preceded by the words, 'We will not publish . . .' When policemen were praised by other newspapers for bravery in saving life at fires or elsewhere, the *Dispatch* indulged in sneers, and sometimes blatantly denied the facts. On one occasion, when most of the London papers published an account of a policeman saving a man from drowning, the *Dispatch* version included the wholly false statement that the water where the event took place was nowhere more than two feet deep. The police were constantly attacked by the *Dispatch* for their attitude to nuisances. They were accused of shielding their friends the prostitutes and permitting the scandal of their existence. On the occasion of the arrest of some of them for theft, they at once became 'poor helpless women of the streets, bullied and bludgeoned'. According to the editor of the *Dispatch*,

at the 8½d. price ruling before the Stamp Duty reduction of 1836, it had acquired a monster circulation. When the price was reduced to 6d. its circulation went on increasing until it was at the stupendous height of over 66,000. *Engl. Radicalism 1832-1852*, by S. Maccoby, Ph.D., p. 417.

everything that the police did was wrong. 'Good God!' he exclaimed, in August 1832. 'How long will the people of England submit to such monstrous perversion of justice as this!' It was a curious method of promoting the liberal ideals of which he imagined himself to be a champion, and the cumulative effect of his policy on the public's sense of justice and fair-play was the reverse of what he intended it to be.

Signs of a change in public attitude towards the police became increasingly evident in 1833, although they were still few in number in proportion to evidences of hostility. On March 13, Mayne wrote to the High Bailiff of Southwark:

The Commissioners of Police beg to acknowledge the receipt of the Minutes of the Committee of the Kennington, Newington, and Walworth Association stating the efficiency of the Metropolitan Police, and the generally improved condition of the District as to the security of the Inhabitants, and to return thanks for the favour of your communication.

On August 1 two citizens of Shoreditch, Mr. Burford and Mr. Veitch, were thanked by Mayne for saving the life of a policeman, 'when nearly overpowered by a mob of about two hundred persons, and violently assaulted in the execution of his duty'. This letter is typical of several others which were written to thank people for coming to the assistance of the police. On November 21 the Commissioners wrote to Lord Hill asking him to allow Trooper Thomas Dodds of the Royal Horse Guards to come and see them, as they wished to thank him for having saved the life of a policeman in a fight. The incident seems to indicate that some improvement had occurred in the relationship between the army and the police.

There were several sensational instances of the saving of people from burning buildings by the police during the year, and an act of individual bravery in attacking burglars which was widely reported by the Press must have had considerable effect in increasing public appreciation of the police. P.C. Thomas Field found four men in the act of forcing an entry to a house in Hampstead one night, and he promptly turned his bull's-eye lantern on them and challenged them. They all sprang at him. Field seized one of them by the collar with one hand, and plied his baton vigorously in all directions with the other. He was struck on the head with a heavy instrument, but his top-hat dulled the effect of the blow. Another member of the gang fired a pistol in his face, but the bullet passed through his hat, grazing the top of his head. Three of the gang then ran off, leaving him with the fourth, of whose collar he still kept a firm hold. Field was bleeding profusely, and his prisoner, still struggling, fell with him and got on top of him, and succeeded in drawing a knife, with which he stabbed his captor three times in his face, and also

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in his arms and wrists. Field still kept his hold, and then received two stabs in the neck, below the ear. He lost consciousness, and his prisoner escaped.

In pleasant contrast with the behaviour of his predecessor on the throne, King William IV took occasion to express in public, on more than one occasion, his appreciation and approval of the New Police. Colonel Rowan was summoned to dine at the Pavilion on two successive days, in January, during a short holiday which he spent at Brighton. At the Waterloo banquet at Apsley House, on June 18, the King created a mild sensation by commenting on the small number of Waterloo medals which were visible in the dining-room, and by remarking that he had seen two others on the breasts of two police officers whom he had passed in the hall on his arrival. He asked the Duke of Wellington to call them in, and to allow them to join in his toast to 'His Majesty, King William IV'. The veterans were Superintendent May, of A Division, and Inspector Adamson. The Duke sent for them, and the King addressed them, 'very kindly and condescendingly'.¹

What appears to have been a serious loss to the Metropolitan Police was the departure, in July, of Superintendent Joseph Thomas to Manchester, where he had secured the office of Deputy Constable on an annual salary which was reputed to be £600, or three times the amount which he received as a police Superintendent in London. There is surprisingly little mention in police documents and correspondence of the work done by Superintendent Thomas at Covent Garden, and the absence of his name from the records is in curious contrast with the frequency with which both it and his activities were noted and praised by the Press, especially his steady work in revealing at Bow Street the appalling social and criminal conditions of London, together with the legal and other handicaps which confronted the police in their efforts to effect improvements. Thomas was succeeded at Covent Garden by Superintendent Hartley, who was promoted from an inspectorate at Greenwich.

Although the Whig Government pretended to ignore the parish attack on the police which had developed formidably during the latter months of 1832, they were moved by criticism of the police-rate and its effects on police finances to make a concession which was as welcome to Wray and the Commissioners as it was to the parishioners whom it relieved. Wray's troubles and difficulties were increasing, and a long letter which he wrote to the Home Office on March 25, 1833, shows that the shouldering of part of the expense

¹ This incident was reported in the *Metropolitan Police Gazette and Criminal Recorder* of June 29, 1833, a periodical which represented one of several unsuccessful attempts to make journalistic profit out of public interest in the sensational crime news provided by police activities. In this instance, the venture was abandoned after issue of the twelfth number.

of the Metropolitan Police was already under consideration by the Government. They proposed to pay, in future, one quarter of the police-rate out of the Consolidated Fund, leaving the parish contribution at sixpence, instead of eightpence, in the pound, on the assessed value of rateable property. The sum which was required for the purpose was estimated as being £50,000, but it was proposed also to cancel the grant of £10,000 which Wray had been receiving each year, since 1829, on account of the men who had been transferred to the police from the Dismounted Patrol. It was the Government's only regular contribution to police funds. Wray pleaded, and gave figures to prove, that the continuance of this payment in addition to the new grant of £50,000 was essential to him to enable him to fulfil his requirements without an annual loss which, he estimated, would be £5,500. He asked that the total Government contribution should be £60,000 instead of £50,000, if the current allowance of £10,000 was to be cancelled, and he showed that the favourable balance of £4,500 which this arrangement ought to provide would be necessary as a reserve against the consequences of the parish authorities' new manœuvre of lowering the amounts of police-rate, for which they were liable, by reducing their Annual Returns of Rental to the County Treasuries, over which neither the police authorities nor the Government had any control. In the event of any surplus maturing, Wray proposed to make it the basis of a much-needed superannuation fund. On this subject he wrote of his anxious desire to make :

... some provision for those men who in the execution of their duty may be injured, or who, after long and meritorious service may be incapacitated from further exertion, and be fairly entitled to a retiring allowance.

For such an object, any surplus over the actual expenditure of each year might be invested in some Fund to accumulate until that period, which must necessarily arise, when many of the present police will become unfit for service, and for whom a Fund would then be found for their partial support, without calling upon the government for any assistance.

In every point of view, this is an important question, both as one of humanity, and as an encouragement to the men resolutely to incur the perils of their duty, when they know that in case of serious injury they will not be left to want.

To the delight of London's parishioners, the Government secured the agreement of Parliament to the new financial proposal, and the basis of the parish contribution to the police-rate was reduced from eightpence to sixpence in the pound, by September. An enthusiastically-made effort on the part of parish authorities to interpret the new concession as applying to all sums due to Wray, the payment of which was in arrears, was frustrated by the fact that the Govern-

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ment had empowered themselves to refuse the benefit to any parish which was in debt to him. The concession removed the principal grievance against the police which was felt by most of the reasonably-minded and 'peaceably-disposed' citizens of London. Rightly or wrongly, they believed that the new rate represented, approximately, the cost of the former system of watching, and they withdrew the support which they had been giving to the campaign of the Radicals and their disreputable allies, the disorder-profiteers of the parishes, to discredit and vilify the New Police. It is clearly noticeable that active hostility to the police in London from the autumn of 1833 onwards had its inspiration almost entirely in propaganda emanating from Radical and Ultra-Radical sources, which increased in clamour until it was finally defeated by its own intensity and by the absurdity of the methods which were employed to enliven it.

CHAPTER XVII
1833 (*continued*)

THE year 1833 is memorable on account of a battle which represents the most intense effort ever made by extremist Radical leaders to defeat and cause the disbandment of the New Police by means of the London mob. It ended in a complete victory for the police, and it was the last occasion in history on which a serious riot was successfully instigated with the sole object of defying and discrediting them. During the excitement which accompanied the passage of the Reform Bill in 1832, the existence of the police in London had enabled the moderate Radical leaders to control their Ultra-Radical colleagues and prevent their undue interference with the tactical programme by which the moderates and the Whigs together successfully gained their ends without resort to physical force. In 1833, a wave of popular disgust with the reactionary methods of the Whig Government encouraged the Ultra-Radicals to seek once more to regain control of party leadership, and restore their prestige, by staging a mob battle with the police which they had reason to believe would be waged energetically and with better success than had attended earlier efforts. To the dismay of the moderate leaders of the National Union of the Working Classes, a section of the extremists decided, in May, to organize a public meeting at an open space on the Calthorpe Estate, known as Cold Bath Fields, with the avowed objects of defying authority and coming to blows with the police.

At preliminary meetings at the Crown and Anchor tavern and other places, open quarrels between the moderate and extremist leaders nearly led to fights on several occasions, but the extremists triumphed. Bills were printed and circulated, announcing the place and date of the assembly :

A Public
M E E T I N G
will be held on the Calthorpe Estate
COLD BATH FIELDS
on Monday next, May 13, 1833, at Two O'clock
to adopt preparatory measures for holding a
NATIONAL
C O N V E N T I O N
The only means of maintaining and securing the
RIGHTS OF THE PEOPLE
By order of the Committee of the National Union of the Working
Classes

JOHN RUSSELL. *Secretary.*

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Another notice was headed, 'A National Convention the Only Proper Remedy', and it called on the people to be their own parliament. The Government replied with a notice announcing the illegality of the assembly, and warning the public 'not to attend such meetings, nor to take any part in the proceedings thereof.' This notice was unsigned by any of the ministers,¹ but ended with the words: 'By Order of the Secretary of State'.

For some time past, with the sanction and approval of Melbourne, the Commissioners had allowed Superintendents to make use of policemen in plain clothes, and the success of their efforts against pickpockets in crowds had been followed by an extension of the system to the reporting of political meetings. The good results which were obtained tended to blind Melbourne and the Commissioners to the possible dangers of the unchecked use of plain-clothes police, and the need of clearly defining and regulating their activities. They were regular attendants at the Radical meetings which preceded the Cold Bath Fields riot on May 13, and they reported the use of very inflammatory language; assertions that a fight with the police was necessary and inevitable; and appeals to members of the Union to carry arms and to 'die sooner than turn back'.

Disputes and quarrels among the Radical leaders which arose from fear of the consequences of the Government's action in declaring the assembly to be illegal caused some delay and uncertainty at the opening of proceedings at Cold Bath Fields. A special committee of six leaders met at the Union public-house in Bagnigge-Wells, and appear to have passed their time in arguments regarding the order in which they should ascend the wagon which had been sent to the ground to form a platform. When they arrived at the wagon, their hesitation affected its owner. When they at last mounted it, about three o'clock, he at once roused his horses and drove off without a word, while the Committee tried to save their dignity, at the risk of possible injuries, by leaping to the ground. Having lost their platform, they retired to a neighbouring rail-fence, where one of them proposed that a man called Mee should 'take the chair'. Mee responded by rising and supporting himself on the rail, and calling on all present to 'beware of those hirelings of the Government who were paid to induce them to commit a breach of the peace.'² The main group of the organizers carrying banners made their appearance at this moment, to the number of about a hundred and fifty, and they were welcomed with loud cheers. One of the banners displayed a skull and cross-bones, and the words, *Liberty or Death*. Two others carried the words, *Holy Alliance of the Working Classes*, and *Equal*

¹ In spite of a strong plea to Philipps from Rowan, with an offer of his signature as Commissioner of the Metropolitan Police. *Report of Select Committee on Cold Bath Fields Meeting, 1833-34*, pp. 16-17.

² *Annual Register, 1833, Chronicle*, p. 79.

Rights and Equal Justice, respectively, and there were also an American flag, and a pole surmounted by a Cap of Liberty. The Press referred to this contingent as 'The Union', implying that it was the central committee of the National Union of the Working Classes. It was actually a small body of extremists and their very dangerous following, who had succeeded, temporarily, in wresting control of the movement from an infinitely greater number of members whose leaders had emphatically declined to have anything to do with the contemplated proceedings.

The Commissioners had wisely decided not to show their forces in the open until the meeting had been addressed and had definitely revealed itself as being the illegal assembly to which the Government proclamation had referred. They concealed their men in neighbouring livery stables, and made a house in the vicinity their headquarters, from which they issued their orders. Two reports from Superintendents give a clearer view of the sequence of events than can be gleaned from the contradictory accounts which appeared later in the Press. Superintendent May with the men of A Division marched up Calthorpe Street and proceeded to drive the crowd from Cold Bath Fields. Superintendent Baker with a hundred men of C Division followed in support of him, and attempted to arrest the leaders and seize the banners which were carried by their supporters.

Extracts from Superintendent May's Report to the Commissioners :

I arrived with the A Division at Bushridge's Livery Stable at 1 o'clock. The C, D, E, and S Divisions were at Dawson's Livery Stable, Gray's Inn Road, and the G Division at the Station, Rosoman Street. After seeing the different Divisions at their stations, I patrolled that part of the Calthorpe Estate allotted for the meeting, and found groups of people in different parts, not exceeding above 200 persons, but towards 2 o'clock the numbers increased. . . .

Orders were then given by Colonel Rowan to move up the H and D Divisions to Bushridge's Livery Stable, Gray's Inn Lane, where they arrived about half-past 2 o'clock. At this time, on my visiting the ground again, the numbers had increased very much. . . .

I received orders from Colonel Rowan to fall in the Division and to move out of the front gate and lead down Calthorpe Street. . . . The Division were ordered not to use more force than was necessary in capturing the leaders and those persons carrying banners, and in dispersing the meeting. The A Division then moved out into Gray's Inn Lane, and from thence into Calthorpe Street, where the Division was formed across the road, but finding it extended too far across the street, and covered the pavement, and that the people could not pass, I reduced the front so that the pavements were left quite clear, at the same time cautioning the men to keep their places and be steady, and we then moved on

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slowly. Finding the street thronged with people, I desired them to pass away to the rear, which great numbers did, those people appearing only to be lookers-on and not belonging to the Union.

I then perceived a strong body of the Union with their banners flying at the top of Calthorpe Street on the waste ground facing us, and some persons appearing to be addressing them as we moved on. On our arrival at the Bar, on which the men were standing who were addressing the people, we were assailed by a quantity of stones and missiles. I was myself struck by a stone on the ear, and some of the constables were struck with loaded bludgeons, numbers of which were seen carried by the crowd. At this time several were taken into custody with banners, Macaroni Pikes, etc., in their possession, and others for throwing stones. On dispersing them from the waste ground the A Division followed them across nearly as far as the Union public-house, Bagnigge-Wells Road, where the Division remained until 5 o'clock. During this time we were frequently assailed by stones and brickbats from the houses, and from small parties assembled round the prison walls.

Here I most respectfully beg to state that from the time we left Bushridge's Livery Stable to the time of halting on the waste ground near the Union public-house did not exceed five minutes, and that no woman or child was struck by any of my Division.

Superintendent Baker's Report to the Commissioners :

I beg leave to report for the information of the Commissioners that being in reserve at Dawson's Riding School, Gray's Inn Lane, on Monday the 13th inst., I received instructions about 3 o'clock to proceed with my Division by way of Calthorpe Street to assist the A Division in dispersing the meeting assembled on the Calthorpe Estate.

The order was immediately complied with, and we had no sooner wheeled into the street than we were assailed with hissing and groaning, as well as brickbats, stones, etc., by the mob whom Mr. May with the A Division was driving from the ground at the East end thereof. We had scarcely entered the street from Gray's Inn Road before I received a blow from a stone on the hand, and had not advanced many yards further when a blow was aimed at me with a dagger or dirk, which fortunately was perceived in sufficient time by P.C. Robert Ossitt, C.161, who made a sudden blow at the man with his truncheon and brought him to the ground, but the man, in consequence of the constable being knocked down at the same moment by another of the mob, made his escape through the crowd.

At this time a man bearing a banner, an American flag, and followed by a number of the mob from the open ground was advancing towards us, in the middle of the street, and on coming up, the bearer of the flag made a rush at Sergeant Brooke, C.11, and wounded him in the left side with a dagger. P.C. Redwood, C.164, immediately sprang forward to seize the flag, and was by

the same man struck through the arm with the same weapon, the man being taken into custody in the act of inflicting the wound.

On arriving at the East end of the street, in front of the open ground which I found had been cleared by A Division, I halted the C Division, and ascertained that P.C. Culley, C.95, had received a mortal wound from a dagger, and that he had made his way to the Calthorpe Arms public-house, whither I immediately repaired with a few men by Gough and Wells Street, and found Culley dying, he having expired a few moments after my arrival there.

The whole of the time occupied between the Division entering Calthorpe Street from Gray's Inn Road and halting at the farther end did not exceed more than two or three minutes.

Several of the constables received blows from stones, etc., but none of them were serious.

The Radicals' propaganda efforts to turn the defeat of the extremist leaders by the police into a victory almost succeeded. They set London aflame with indignation by spreading stories about police brutality, which were, eventually, easily proved to be false. The moderate and the extremist leaders forgot their differences and quarrels and combined to make trouble for Whig ministers. At the coroner's inquest on the body of P.C. Culley, the jury announced :

We find a verdict of Justifiable Homicide on these grounds :

That no Riot Act was read, nor any proclamation advising the people to disperse.

That the Government did not take the proper precautions to prevent the meeting from assembling.

That the conduct of the police was ferocious, brutal, and unprovoked by the people.

And we moreover express our anxious hope that the Government will, in future, take better precautions to prevent the recurrence of such disgraceful transactions in the Metropolis.

The following remarkable conversation then took place between the Foreman of the jury and the Coroner :

Coroner. Your verdict only traduces the police and the Government. You are not borne out by the evidence in justifying the murder of this man. Were the people innocent who used the murderous weapons ; stilettoes, bludgeons, and lances such as you have seen ?

Foreman. We state in our verdict on what grounds we justify the homicide. We do not traduce the police or the Government. We trust that our verdict will prevent the negligence and misconduct which has caused the arms and heads of His Majesty's peaceable subjects to be broken.

Coroner. Do you call them peaceable subjects ?

Foreman. It has been proved that they were peaceable. We will say no more, Sir. Record our verdict or dismiss us.

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We have told you, Sir, we will not alter a letter. In regard to our oaths and our duty to God, our country and our King, we can give no other verdict.

The Coroner then accepted the verdict, and said, 'Gentlemen, I consider your verdict disgraceful to you, but I thank you for your great attention to the case'. The Foreman bowed to him, and replied, 'We thank you, Sir'.

Although the sentiments which were expressed by the Foreman were obviously the outpourings of propaganda-inspired emotionalism, there appear to be no grounds for questioning his sincerity. If there had been any possibility of his being thrown into the Tower, or beheaded, or hanged, or tortured, or transported to Australia, like others who at one time or another have dared to defy authority in the name of Liberty, he would have better deserved the prominent mention by historians which has been given to him. What made his outburst so pathetic and absurd was its background of facts, which he ignored. The organization of the Cold Bath Fields meeting was the repetition of an old and well-worn process of attempting revolution, in defiance of good sense and majority will, which had been used by political extremists some dozens of times in London in the course of a century, and was still in use periodically in other parts of the country. At the stage when a meeting which had been declared by authority to be illegal became unruly and developed into the riot which was the real object of its organizers, it was the custom of authority to await destruction and bloodshed, and then to produce a company of Guards or a squadron of dragoons or hussars and kill large numbers of the participants. The Cold Bath Fields assembly was unique in having been interfered with by authority in its early stages, and prevented, by a hundred and seventy unarmed policemen, from becoming first a riot and then a massacre. On this occasion the only serious casualties were one policeman killed, and two injured, by stabbing.

As a consequence of the jury's finding, the Government moved the Court of King's Bench for a writ to remove the inquisition into that court. The writ was granted, and the verdict of the jury was annulled on the grounds that it was glaringly in contradiction of the evidence, but Culley's murderer was never found.

On June 4, the trial of George Furzey on a charge of stabbing the police-sergeant John Brooke was opened at the Old Bailey. The victim's life was saved by the fact that one of his ribs held the point of the dagger with which he was struck. The evidence of the police witnesses makes it difficult to believe that Furzey was not guilty, or that any mistake was made by them, or that they were untruthful. They saw him strike Brooke, and they seized and arrested him while the dagger was still in his hand. By an unfortunate oversight, the

weapon was not taken from him when he was seized, but it and a pistol were alleged to have been found later by the police in the straw of a loose-box in a stable where he and another prisoner were temporarily confined for a short time. The police witnesses declined to swear that the dagger which was found in the stable was the one which had been used by the accused, although it was blood-stained.

A stream of witnesses for the defence gave lurid accounts on oath of the brutality and cruelty exercised by the police, but no factual evidence was produced by the defence in confirmation of what was asserted. The following are examples of this type of evidence :

The ground was immediately strewn with the bodies of men, women and children. . . .

I saw three policemen beating one man, and several others belabouring individuals. . . .

I rescued two girls from the brutal violence the police were using towards them. . . .

I saw two policemen striking a woman. . . .

Several persons ran up Margaret Street and were pursued by the policemen who struck men, women and children indiscriminately. . . .

I saw a working-man struck down, and his blood trickled on me. . . .

I saw a grey-headed old man whose head was cut, and he was streaming with blood . . . a boy ran by at the time, and the policeman immediately knocked him down also. . . . I heard an old woman cry out, ' Oh, you scoundrels, consider you have wives and families, don't murder me ! ' Three policemen came up, cut her down the face, and drew blood from her.¹

The verdict of the jury in this case was :

My Lords, we have, as Your Lordships are aware, given not only long, but close and anxious attention to this case, and have, since we retired, considered, with all the care which it was possible to bring to bear upon it, the evidence on both sides, and we cannot on such evidence conscientiously pronounce any other verdict than ' Not Guilty '.

A long and full report on the subject of the Cold Bath Field riot was sent to the Home Office by the Commissioners on May 20. It was addressed to Melbourne, and signed by Mayne only. The annotated original copy which is in the Home Office files is an extremely interesting document :

MY LORD,

The Commissioners of Police have the honour to lay before your Lordship a Report of the arrangements made by them for carrying into effect your Lordship's Orders relative to the meeting of the National Union of the Working Classes in Cold Bath Fields on Monday, the 13th inst. . . .

¹ *Annual Register*, 1833., *Law Cases*, pp. 319-27.

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A brief history of the events which preceded the meeting follows and includes copies of the notices which announced it and the Government notice which declared it to be illegal. The report continues :

On Saturday, the Commissioners received your Lordship's directions that the meeting being illegal, and public notice given to that effect, was not to be allowed to take place, and that the meeting, if attempted, was to be dispersed and the leaders seized on the spot. The police were to interfere, for the purposes stated, the moment any one began to address the meeting, but it was considered advisable not to occupy the ground previously by the police, for the following reasons :

That the police would not be justified in preventing all people from coming there, and that unless all were excluded it would be impossible to know and separate those who came to form the illegal meeting.

That an attempt to do so would probably lead to a collision with persons who might be there casually, or come for the purpose of questioning the right of the police to remove them.

That a crowd would be collected by such squabbles, and the police in consequence exposed to insult, when mutual irritation would be created.

That it was very desirable not to interrupt so public a thoroughfare, or cause inconvenience to the neighbourhood, by thus anticipating, perhaps needlessly, that the meeting would be held, after being declared illegal.

That if the Unions were determined to hold the meeting, and were prevented doing so at that place, they would at once go somewhere else. The police would then be reduced to the alternative of remaining uselessly where they were, or moving to such other place as might be named for the meeting, where they would arrive impeded and accompanied by idle crowds, and where, upon arrival, they might necessarily be placed in a worse position than they would have been had the meeting been held at the place first appointed.

It cannot be imagined that Mayne invented the directions from Melbourne that the meeting *was not to be allowed to take place, and that the meeting, if attempted, was to be dispersed, and the leaders seized on the spot*. At a later date, as the result of Radical and Whig pressure, the Government appointed a Parliamentary Committee to report on the riot and the behaviour of the police. Melbourne gave evidence before it, and attempted to contradict that of the Commissioners by denying that he gave them these directions. The Committee tactfully ignored the contradiction, but the truth appears to be established in the Commissioners' report to Melbourne, and by his later efforts to excuse himself. In the copy in the Home Office files the words which are printed in italics have been underlined in pencil, and a marginal note has been added in handwriting which it

is, unfortunately, impossible to attribute certainly either to Phillipps or to Melbourne, but it is obviously the work of either the one or the other. The marginal note is as follows :

My instructions were that the ground was not to be prevented [sic], that persons were not to be prevented from repairing to the place, because it could not be certain that they were repairing thither for the purpose of holding the meeting [*word illegible*], but that as soon as it appeared that the men assembled were holding the meeting in pursuance of the proclaimed [*word illegible*], the leaders were to be arrested according to the notice issued by order of the Secretary of State.

Mayne's report continues :

The Commissioners in making their arrangements for executing your Lordship's orders had to take into consideration the numbers belonging to the Unions who might be expected to assemble ; that most of them were men of desperate characters, holding principles subversive of all existing institutions and destructive of property ; that language of the most inflammatory sorts was used by them ; that the Unions were taught by their leaders that an opportunity was now afforded them for carrying into effect such principles, and that in this way only could they hope to improve their condition. Ample proof of all this is in the possession of the Commissioners.

In the Home Office the last sentence of this paragraph was underlined, and the following words were added : ' I should omit this, otherwise if the Report ever becomes public, the proof may be called for, which it may be inconvenient to give.' It is a revealing remark. Proof of the Commissioners' statements lay in the reports of Radical meetings which were furnished by policemen in plain clothes. Publication of this evidence would have provided justification for much more severe action by the police than had been taken, but it would have been very inconvenient for Melbourne to have been obliged to admit that he had ordered the employment of policemen in plain clothes for obtaining information regarding Radical activities. He was obliged to do so later.¹ What Melbourne found particularly convenient was the fact that their alleged brutality was the theme of public criticism of the police at the moment. He was most unwilling that it should be diverted to other targets among police activities from which it would be much more difficult for him to disassociate his own and his party's responsibility.

Many of the remaining paragraphs of Mayne's report deserve quotation in full, in view of the difficulty of obtaining a clear view of events from other records of the period :

It was well known to the Unions from what had happened on former occasions, that the police would be the immediate check

¹ *Select Committee on Policemen as Spies, 1833* : evidence of Samuel March Phillipps, pp. 178-82.

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to their designs. Hatred of the police was therefore excited in all ways. All were advised and encouraged to arm themselves to resist the police, and many, it was known, followed that advice, of which ample proof is likewise in the possession of the Commissioners.

The meeting, if attempted, was to be held in open defiance of Law, by persons thus prepared for resistance and armed against the Civil Power. However mad and impracticable such an attempt must be, the Commissioners felt the heavy responsibility they would incur by neglecting any measure of precaution upon such an occasion, or not rendering available the force at their disposal. The Commissioners have, before now, experienced the extraordinary difficulty imposed on the police of affording perfect security to persons and property in all parts of the town, and guarding against momentary attacks in different points, when large bodies of disorderly people have been assembled. At such a time the safety of the whole town would be endangered by even a partial success against the police.

The Commissioners besides felt that they would have been liable to the imputation of tempting the people to oppose them had they not brought up an overpowering force to act against a meeting declared to be illegal, and by whom, it was known, resistance was intended. . . .

Between two and three o'clock a party of the Union with banners flying marched up Gray's Inn Lane. . . .

It was then a matter of consideration whether the meeting should be allowed to go on a little longer, as several other classes of the Unions, every moment expected, would have time to arrive, and a greater number of the leaders identified with the meeting might be taken into custody. But it was deemed advisable for the police to act at once in obedience to the instructions they had received for executing your Lordship's orders.

Full instructions had been given to the Superintendent who, with about seventy men, was immediately charged with the execution of this duty. These instructions were to take into custody the whole of the Committee, or leaders upon the ground at the meeting, and those who were more immediately identified with them by their proximity or otherwise.

The other parties of the police who were ordered to move out at the same time were not to act, but in case of necessity, and were merely intended to support and protect the first party, which would necessarily be in disorder by taking the leaders into custody. . . .

The last words spoken by Colonel Rowan to those who alone were expected to take an active part in the affray were to be cool and temperate, and to hurt or strike no one unnecessarily, or unless they were resisted.

. . . the first party of about seventy men moved down Calthorpe Street allowing the crowd to retire and go away along the

pavements on both sides unmolested ; and this party proceeded directly towards the place where the banners were, and the chairman was addressing the meeting.

The next party of about one hundred men, moving in support of the first, as they turned the corner of Calthorpe Street out of Gray's Inn Lane met the people who had passed at the sides of the first party, and from these persons the police received immediately a volley of stones and other missiles with which several of the police were struck. The Superintendent in charge then ordered the street to be cleared, in doing which truncheons were used, and three policemen were stabbed.

The stones were thrown before a truncheon was raised, and about the same moment that the first party of police began to take into custody the persons immediately about the chairman, they were opposed and assailed by stones, and found it necessary to use their truncheons, but none others of the police took any active part in the affray, being formed in readiness in case they should be wanted.

The persons forming the meeting were escaping over the whole of the open ground of Cold Bath Fields and the outlets from it.

The whole time from the moment the police moved out of the lively stables for the purpose stated, until the meeting was dispersed, and the parties were in custody, did not occupy quite five minutes. Small parties of police were afterwards desired to move about the place to prevent any reassemblage, and these from time to time brought in persons in custody who were taken in the act of throwing stones.

The Commissioners are not prepared to affirm that every blow given by the truncheons of the policemen was duly proportioned to the degree of provocation or resistance made by the party struck, and if unnecessary violence can be proved to have been used on the occasion, none would regret it more than the Commissioners.

It has been the constant endeavour of the Commissioners to train the police to bear with indifference all insult and abuse, and to act temperately in the performance of every duty, and they confidently appeal to the observation of the public in testimony of the habitual good temper and forbearance shown by the police on many trying occasions.

It is well known to every individual in the police that the Commissioners rigidly inquire into and inflict punishment where they can discern any to have acted with intemperance. The police are however not ignorant that constant threats that their lives would be taken have been used against them by all the leaders of the Unions, and that upon this occasion many were to go armed to hold a meeting in defiance of the Law.

The Commissioners have given a most careful attention to the proceedings at the Inquest on the body of the late P.C. Culley, and have endeavoured in consequence of the statements of some

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of the witnesses, as well as from other sources, to discover whether the charges of misconduct made there against the police were well founded. From no other quarter have the Commissioners been able to obtain any confirmation of them, and they think it may appear hereafter to the public that the enquiry has not been conducted in such a manner hitherto as is calculated to arrive at the truth.

The Commissioners also feel it right to notice that no complaints of misconduct by the police have yet been brought before the magistrates, the Commissioners, or any other proper tribunal, except the complaint of one individual laid before your Lordship, and transmitted to the Commissioners this morning, which has been put in train for investigation.¹

In judging the conduct of the police on this occasion, the Commissioners trust that due allowance, if such should be necessary, will be made for men performing, under very peculiar circumstances, so difficult, so responsible, and so dangerous a duty.

The Commissioners in conclusion feel it their duty to submit for your Lordship's most favourable consideration the case of the widow of the Police Constable who lost his life, and also that of the sergeant and the constable who received serious wounds.

I have the honour to be, etc.,

RICHARD MAYNE.

A week later, in a letter to the Home Office of May 27, which was addressed to Phillipps, the Commissioners asked permission to issue a 'Police Order' on the subject of the riot, 'knowing the great anxiety felt by all ranks of the police that their conduct on the late occasion should meet with the approbation of the Secretary of State and of their own immediate superiors'. It is extremely unlikely that they would have faced the risk of publishing such a document if there had been grounds for serious criticism of the police. Melbourne refused their request.

POLICE ORDER

The Commissioners have abstained up to the present moment from expressing an opinion of the conduct of the police in Cold Bath Fields on the 13th inst., while they have endeavoured, by every means in their power, to ascertain whether the general charges of misconduct by the police on that occasion were well founded; time also has been allowed for cases against individuals for violent or improper conduct being brought before the magistrates, the Commissioners, or any other competent tribunal; and but one such charge has yet been made, which is in train for investigation by the magistrates.

¹ The Commissioners' evidence before the Select Committee with regard to this last complaint was as follows: 'The charge has not been pursued.' (Mayne.) 'A person came to the Commissioners of Police and preferred a charge; they sent the policeman before the magistrate; he was held to bail to take his trial; there was no bill preferred.' (Rowan.)

The Commissioners therefore now feel that the police are entitled to an acknowledgment for their services on the 13th inst., and they have very great pleasure in thanking the police for the effective and steady performance of their duty upon that trying occasion.

The Commissioners desire, at the same time, that it be distinctly understood, should it appear hereafter that any have exceeded their duty or committed themselves by a wanton or violent exercise of their power, they will be visited by severe punishment by the Commissioners, besides the penal consequences to which they are liable by law.

The Commissioners, in concluding in the same spirit in which they have at all times endeavoured to instruct and train the police, take the opportunity of impressing strongly on the mind of every individual *that his first duty as a constable is to learn self-command*, that he must not allow himself to be provoked by offensive or insulting language ; and he may rest assured that he shall at all times be duly supported in the discreet and temperate performance of his duty.

The Commissioners have recommended to the most favourable consideration of the Secretary of State the case of the widow of the late Police Constable Robert Culley, who unfortunately lost his life ; and also the cases of Police Sergeant John Brooke and Police Constable Henry Chance Redwood who received wounds by stabbing on the 13th inst.

Interesting evidence regarding the relationship between the Commissioners and the Home Office at this time was given to the Select Committee on the Cold Bath Fields meeting. The Home Office made a cowardly, last-minute attempt to escape from public criticism by saddling the Commissioners with entire responsibility for what had happened. Rowan and Mayne both stated to the Committee on July 8, 1833, that their Report of May 20 had been read by Melbourne and Phillipps, with whom they had had frequent conversations on the subject since the date of its presentation ; and that these authorities had never once questioned or disputed the Commissioners' written statement of the orders which they had received until, suddenly, on or about July 11, a week before their attendance on the Committee, Phillipps had announced to Rowan that Lord Melbourne and he both objected to the statement that the Commissioners had been given orders by them to disperse the meeting ; the only order that had been given having been to arrest the leaders.

Rowan assured the Committee that he always made careful memoranda of conversations which he had with Melbourne and Phillipps and said that he was unalterably convinced not only that he and Mayne had been given clear orders to arrest the leaders and to disperse the meeting, but that these orders had been definitely mentioned and agreed in the course of several later conversations.

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Also, in connection with the order to disperse the meeting, Rowan said that Phillipps had instructed him, on behalf of Melbourne, to carry with him and, if necessary, to read, the Riot Act, in the event of the police encountering serious opposition ; a fact which proved beyond doubt that the Home Office contemplated the necessity of forceful action by the police.¹

The Committee later called Lord Melbourne and questioned him closely on the subject of his orders to the Commissioners.² He soon abandoned the attempt to blame the Commissioners. After being handed a copy of the Commissioners' Report, he was asked : ' Is that a correct statement of the instructions given by your Lordship ? ' He replied : ' I did not expressly direct the dispersion of the meeting ; at the same time I conceive the instruction which I had given to involve the necessity of not permitting the meeting to be held in pursuance of that placard.' Asked if the Committee could understand ' that your Lordship does not object to that [the Commissioners' Report], as a correct statement of the substance ? ' Melbourne replied : ' I do not ; I consider it as rather putting the dispersion of the meeting more forward than I put it in giving my instructions ; it was my intention that the first object should be the arrest of the persons holding the meeting.' He did not attempt to explain his naïve assumption that a crowd which he knew, from the police reports, had been instructed by its leaders to carry arms would tolerate these arrests unmoved.

In reply to additional questions, Melbourne said that he intended the police to confine their objects entirely to the arrest of the persons attempting to hold the meeting ; that if the police found the people assembled for the purpose of holding the meeting it was not to be allowed to take its course ; that he had expressed no disapprobation of the action of the Commissioners ; and that he had never said more to them, through Phillipps, than he had now said to the Committee. He was at last rescued from his difficulties by a formula which he accepted gratefully : ' The Committee are to understand that your Lordship wished the prevention of the meeting and the apprehension of the ringleaders to be accompanied with as little violence as it was possible to effect their object ' [sic].

After being embarrassingly questioned on the subject of the Home Office habit of refusing to give orders and instructions to the Commissioners in writing, Melbourne stated blatantly that he had ' never found any public inconvenience to have arisen from verbal instructions having been given.'

Reports of proceedings at a Radical meeting held at the Crown and Anchor Tavern on June 1 throw light on the quarrels and weak-

¹ *Report of Select Committee on Cold Bath Fields Meeting*, pp. 5-23.

² *Ibid.*, pp. 190-3.

ness of the leaders of the movement. The moderate leaders had condemned the extremists for organizing the Cold Bath Fields assembly, but they were determined not to allow themselves to be deprived of a share of the praise and glory, for having defied authority and the police, which the public were showing themselves to be inclined, temporarily, to bestow on Radical efforts in general. The spreading of false charges against the police had, at first, roused a wave of public sympathy with the rioters which was voiced by a large section of the Press, and its effect on the moderate Radical leaders was to inspire them to excel the extremists in vituperation against the police and against the Whig ministry. Francis Place took no part in these activities. The chair at the Crown and Anchor meeting was taken by J. M. Roebuck, who opened proceedings by saying that the Government had acted in a most unjust and cruel manner in sending a body of the police to Cold Bath Fields to cut down, indiscriminately, men, women and children in a most brutal manner. He expressed his personal opinion that the individuals who had arranged the assembly had been injudicious, and he continued :

But what had their paternal government done ? It had sent 1,700 [*sic*] men¹ to this meeting in order to disperse it. It had armed those men with weapons capable of inflicting painful and grievous wounds. It had previously stimulated them with drink, and, without warning, these 1,700 men had attacked the unoffending people, and beat them to the dust (*loud cheers*).²

With some justification, Roebuck attacked the Whig leaders for having welcomed such meetings in the past when the object of them was to put the Whigs in power. He accused the Coroner at the Culley inquest of 'incompetence and overbearing ways and ignorance', and praised the jury's 'display of such sterling worth'.

Daniel O'Connell said :

There were seven and twenty obscure persons who called the meeting to establish a National Convention. It was a thing to be laughed at (*hear, hear !*). A number of persons came to look on and to laugh at the whole business, and women and children came likewise ; and there was a foolish thing called a Proclamation, signed by no one, which brought more people together than the National Convention itself. From the evidence it appeared that there was not a single act of violence committed, nor an illegal word uttered, but before almost a word was said, a number of men, calling themselves constables, were reported to have made a sudden attack on men, women, and children. An affray took place, blood was streaming, and all that was known of the policeman's death was that a man was seen going back—back, till he

¹ The official figure given by the Commissioners to the Select Committee was 'between 700 and 800,' of which only 170-180 were used, the remainder being in reserve, p. 10 of Report.

² *Observer*, June 2, 1833.

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could go back no farther, and all the time defending himself from the attack of the police ; and that that man, when he saw that there was no other way of avoiding death himself, did inflict death ! (*cheers*). If the jury believed that to be the true state of the case, and that the man had no other way of saving his own life but by the death of the aggressor, they could not bring in any other verdict (*loud cheers*).¹

' Orator ' Hunt then addressed the meeting and abused everybody, including Roebuck, O'Connell, the police, and the Whig ministers. Roebuck called him to order, and he sat down angrily. He then rose and hurried from the room with a shout : ' I never saw so fool a chairman in my life.' Thereafter, a long resolution was proposed and carried, praising the Coroner's jury and condemning the Government, and ending with the words :

The Ministry are the inveterate enemies of liberal principles and afford additional reasons for their no longer retaining the respect and confidence of the people.

The vagaries of popular emotion are always curious and interesting. Radical charges of brutality against the police roused a wave of lively indignation against them among the people of London, but it soon subsided when confronted by the wild oratory of Roebuck, O'Connell, and other moderate leaders, and the total inability of the accusers to produce proof of their assertions, or the person of any man, woman or child which showed signs or marks of damage. The martyrdom of Culley roused, presently, a counter-wave of sympathy with the police. When the public realized that they had no pension fund, and that Culley's wife and two children were destitute, a flood of subscriptions poured in on the Commissioners and Wray, and several newspapers promptly opened and published daily lists of the sums which were sent to them by their readers. The total amount which was collected is not recorded, but it was large enough to oblige Wray to assure himself of his legal power to handle it and invest it on the widow's behalf. In the presence of strong public feeling, the Home Office was obliged to abandon its economical principles. Melbourne was moved to announce the granting to Mrs. Culley of the incredibly large, wholly unprecedented, and never-to-be-repeated gratuity of two hundred pounds. Unfortunately, public feeling was not expressly concerned with the sufferings of Sergeant John Brooke, who would have been killed, also, if the dagger with which he was stabbed had not been stopped by a rib, so the Home Office declined to give him anything, although his wound rendered him unfit for further service and obliged him to resign from the Force. On putting his case before the Home Office on June 14, for the second or third time, the Commissioners reported that the only

¹ *ibid.*

benefit which he had received was, 'five pounds sent by a private party as a reward for his conduct'. At last, on September 17, Brooke was graciously allowed to receive the sum of twenty pounds, and the other victim of knife wounds, Redwood, received the same amount.

The story of the jury who defied the Coroner and decided that the murder of a policeman was justifiable homicide has been noted by historians, but these have omitted to record the fact that another jury in the year 1833 returned an equally remarkable verdict, in an attempt, probably, to draw upon themselves a share of the notoriety which the Culley jury were enjoying. In Stepney, a man called John Peacock Wood was seen to stagger and fall as he left the White Hart Tavern. No one paid any attention to him, and he was found lying in the street, unconscious, by a policeman who carried him to the station with the assistance of four colleagues. The police-surgeon found that Wood was seriously ill, and he was taken to his home, where he died soon afterwards. No evidence of ill-treatment of Wood by the police was offered at the inquest, but mention was made of the circulation of a rumour in the district that the police had killed him. On the strength of the alleged existence of this rumour, the jury solemnly attempted to return a verdict of 'Wilful Murder Against a Policeman Unknown', but they had not the courage to sustain it in face of the rebukes of the Coroner, and they withdrew it. They then made contact with the members of the Culley jury, with whom they celebrated their joint efforts to discredit the police by arranging an excursion to the Nore. The Culley jury were the grateful recipients of public dinners and other forms of entertainment at which they and their foreman allowed themselves to be exhibited by Radical organizers.

During the summer of 1833, a discovery was made which was particularly unfortunate for the police because it caused a sensation, and provided their Radical enemies with a fresh and formidable supply of ammunition for the propaganda campaign which they were waging in the hope of turning the Cold Bath Fields defeat into a victory. The meetings of the Camberwell and other branches of the National Political Union were attended by a lively and intelligent man called William Steward Popay, who said that he was an artist. He seldom spoke at these meetings, but he gave good advice, and was liked and respected by the Union members. He became very friendly with some of them, and they invited him to their houses, and entertained him. He returned their hospitality, and Mrs. Popay became intimately friendly with their wives. There was an occasion when Popay accompanied a party of these friends on an excursion up the Thames to Richmond. One of the members of the Union to whom Popay was introduced and with whom he soon became

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friendly was George Furzey, who had been tried on the charge of stabbing Sergeant Brooke at Cold Baths Fields.

It is recorded that another member of the Union, James Brown, was passing a police station one day, and that he saw through a window, to his surprise, his friend Popay sitting at a desk and making entries in a ledger. Brown reported this interesting discovery to the other members, and they invited Popay, at the house of one of them, to explain the strange activity in which he had been employed. Popay replied that the police at that particular station had muddled their accounts, and that they had asked him to come in and help to put them right. Furzey undertook the task of making further inquiry, and laid bare the unquestionable truth that Popay was a policeman, and that his interest in the Union and his friendship with its members were inspired solely by his zeal in performing his duties as a police spy on their political activities.

Popay was a schoolmaster, aged forty-five, who had joined the police with excellent references regarding his character and abilities. He was married and had a family of eight children, the eldest of whom was fifteen years old. He drew a regular but fluctuating income from Yarmouth, where he had a post as 'coal-meter', the duties of which he left to a subordinate in exchange for half the amount which accrued from payment, at the rate of threepence per cauldron, for measuring coal discharged from ships. On account of his intelligence and education Popay was clearly regarded as a valuable acquisition by the police authorities, and he was soon promoted from the rank of constable at nineteen shillings weekly to that of clerk at twenty shillings, and later to the rank of sergeant, with pay of twenty-two shillings and sixpence. He was given confidential duty soon after his first appointment, and he was chosen by the Commissioners for the special work of reporting meetings of the Political Union of the Working Classes, which Melbourne admitted had been ordered by him to be undertaken by policemen in plain clothes. Popay's reports were sent to the Commissioners by his superintendent, Andrew McLean, and were passed by them to Phillipps and Melbourne.

The whole truth regarding Popay's activities will probably never be known. The Radicals cleverly opened their attack on the police in this instance by sending to the House of Commons a petition, which was signed by ten local inhabitants of Camberwell, complaining of being spied upon by policemen in disguise who incited them to revolutionary behaviour. As usual, the Radicals spoiled their case by foolish exaggeration and the inclusion in their statement of it of palpable untruths. A Select Committee was at once appointed to inquire into the circumstances of the case. In giving evidence before this Committee the Commissioners were emphatic in their praise of Popay and expressed strong approval of the manner in which he had

conducted himself since he had joined the Force, but they explained, clearly and convincingly, the nature and limits of the special duties which plain-clothes policemen had to undertake when attending political meetings of the Union. Their sole function was to watch for and report immediately any evidence of activities or proposed activities which could possibly lead to a breach of the peace, in order that the police might be prepared for it, and they were expressly forbidden to take any part in the proceedings, to become members of the Unions, or to cultivate friendship or intimacy with the members. The duty was not only approved, but ordered, by the Home Office. Mayne said of Popay: 'when he came to me on the present occasion, and I had desired him, paragraph by paragraph, to answer the different charges in the petition presented to the House of Commons, which he has done by a most distinct negative to each, I told him I could not avoid feeling that he had carried his concealment into private life in a most improper manner, and I should not support him in it.'

Popay's accusers produced astonishing and unverifiable charges against him of having made inflammatory speeches in which he reviled both the Whig ministers and the police, and tried to provoke the members of the Union to embark on criminal and revolutionary action. The document mentioned by Mayne is in the Home Office files, dated July 4, 1833. The accusations which were brought against Popay and his replies and comments are arranged in a double column. His denials are interesting and convincing, because there must have been ample evidence available by which their truth or falsehood could have been checked, and it is certain that the bulk of them were unproved before the Committee. Popay was unshaken in his statements that he never became a member of the Union; that he took no active part in its proceedings except to give advice, non-committally, when it was asked for; and that he never concealed his name. His natural artlessness as well as the full limitations of his character are revealed in his answers by the contrast between the obviously sincere annoyance with which he repudiated charges of meanness, in having posed as being poor and in having accepted gifts of food, and the naivety of his equally obvious unawareness that he was acknowledging meanness when he stated that he particularly liked two men, whose political activities he was reporting regularly to his superintendent, and that he cultivated their friendship because he liked them. Before the Committee he was unable to answer satisfactorily a charge that he had once taken the chair at a meeting. In his reports, he had referred to his friends as 'half-starved ruffians', and recorded that 'there was not a single respectable man amongst them'.

On the other hand, it is possible that Popay deserves historical

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recognition not as 'Popay the Spy', but as the founder and originator of the detective system. The evidence of the Commissioners that Popay had been employed, on orders from the Home Office, solely to listen to speeches for the purpose of gaining information regarding projected breaches of the peace was fully corroborated. But the name, George Furzey, is significant. Popay's answers show that he was fully aware of having risked his life in associating familiarly with Furzey and with another 'desperate character', Thomas Dean, and there is casual mention in the evidence that the members of one of the Union branches whose meetings Popay attended regularly were the proud possessors of the American flag which had been used at Cold Bath Fields. It is noticeable that Melbourne and the Commissioners warmly approved his activities until his methods of achieving his ends became known to them, and it was on account of some of these methods alone that they criticized him. He made no charges against his superiors of having misled him, or of having been responsible for what he had done. He was promptly dismissed. In the weekly return of removals and resignations, which the Commissioners sent to the Home Office, the sole reason for his dismissal is 'the orders of the Committee'.

In a very brief report, which consisted of only three short paragraphs, the Committee recorded :

1. That it is the opinion of this Committee, that the conduct of the policeman Popay has been highly reprehensible, inasmuch as he appears to have taken an active personal part in the proceedings which his duty only required him to observe, and to have carried concealment and deceit into the intercourse of private life : and although the Committee are inclined to hope that he was not influenced by any malignity of disposition, but by a mistaken view of his instructions, and a misjudging zeal in the execution of them, they cannot forbear to mark his course of behaviour with their most grave and decided censure.

2. That it is the opinion of this Committee, that while it cannot be supposed that authority was given for the foregoing conduct, there is reason to apprehend that sufficient caution was not always exercised by those to whom Popay's reports were submitted in checking the occasional diffuseness of their contents, and in warning him against having recourse to undue means for supplying them.

3. That it is the opinion of this Committee, that with respect to the occasional employment of policemen in plain clothes, the system, as laid down by the heads of the Police Department, affords no just matter of complaint, while strictly confined to detect breaches of the Law and to prevent breaches of the peace, should these ends appear otherwise unobtainable ; at the same time the Committee would strongly urge the most cautious maintenance of those limits, and solemnly deprecate any approach to

the employment of spies, in the ordinary acceptance of the term, as a practice most abhorrent to the feelings of the people and most alien to the spirit of the constitution.

In April 1833, the Government appointed a Select Committee to inquire into 'The State of the Police of the Metropolis within the Metropolitan District and the State of Crime therein', and the first sitting was held on Monday, April 29. Evidence was heard throughout the summer, but the work was discontinued on July 15, on account of its interruption by the appointment of two other Committees. One of them was required to report on 'The Conduct of the Metropolitan Police on the 13th May 1833, in dispersing a Public Meeting in Cold Bath Fields', and the other was given the task of inquiring into the matter of 'The Petition of Inhabitants of Camberwell and Walworth complaining of the Employment of the Police as Spies'.

The original Committee were then reappointed and instructed to complete their task, and to report not only on the evidence which they heard, but also on the findings of the two new Committees. The reconstituted Committee met on Monday, March 10, 1834, but the bulk of the evidence which they considered was recorded during the summer of 1833. Particularly interesting features of the work and constitution of this Committee are the facts that the Whig ministers who arranged it provided it with a comfortable majority of eight Tory members¹; that the Report which was issued at last, on August 13, 1834, recommended in detail the immediate correction and removal of nearly all the grievances and handicaps which were being suffered by the police, and exonerated both them and the Commissioners from all blame in the matter of the many charges which were brought against them; and that the Whig Government ignored this Report for five years, having achieved their immediate objects, which were to keep the Metropolitan Police in being, at all costs, and to avoid the necessity of having to lessen their value to the Government by taking action against them under pressure of the demands of Whig followers.

The first witnesses to be examined in 1833 were Rowan and Mayne, who were closely questioned, day by day, on the subjects of the history, duties and organization of the New Police. They described the difficulties and sufferings of the police with dignity and with restraint, and they commented, without rancour, on certain aspects of their relationship with the Home Office. They complained, bitterly, when they were recalled in 1834, that they had never once received orders in writing from the Home Office, regarding their conduct and general management of the Force. They stated emphatically that

¹ The Committee was nevertheless fully representative of all shades of current political opinion.

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they did not want alteration of the laws in order to secure increase of power for the police, but they showed the necessity of altering laws in order to regulate and define police powers and to secure them from criticism. They pleaded for the immediate establishment of a Superannuation Fund for the relief, particularly, of men who were obliged to resign from the Force on account of injuries or illnesses, and mentioned several pathetic instances of the destitution of these men and their deaths in workhouses. Wray, also, spoke strongly on this subject before the Committee. His evidence included a detailed account of his financial organization and the difficulties which were made for him by the parishes. The Commissioners complained strongly, also, of the lack of legal assistance for policemen who were involved in court cases. Both they and Wray expressed the wish that they might be relieved from the formality of having to obtain Home Office sanction for every action which was required of them by their daily administrative activities.

The Commissioners and Wray were followed by the stipendiary magistrates, who gave their evidence in turn. The first to appear was Sir Frederick Roe, the Chief Magistrate of Bow Street. It is clear that neither he nor the parish deputations and other enemies of the police who hurried to attack them were aware of the trap which the Whig ministers had prepared. The names of the members of the Committee who asked questions are not recorded, but it is obvious that they were active and well-instructed friends of the Commissioners.

Roe opened his evidence with a description of the Bow Street court organization, in which he praised the Runners and his other officers. He admitted that he gave all warrants to his own men only. When he was asked for his reasons for refusing to give warrants to members of the Metropolitan Police, he embarked on a long, venomously-worded attack on them, which was partly based on his bigoted dislike of the principle of separating the judicial and executive branches of the law. This outburst covers a page and a half of the printed evidence, and ends with the words: 'On these grounds I really say, conscientiously, that it appears to me it would be perfectly unsafe to entrust such a duty to the Metropolitan Police Force; I have no scruple to say I should be paralysed.' He declined to give the Committee any proof of the corruption of which he alleged that the police were habitually guilty. He was asked: 'You have not suspicion that anything like a conspiracy for the corrupt purposes of obtaining money exists among the constables of your office?' He replied, 'Not the slightest!'

Roe then gave some additional reasons for his distrust of the Metropolitan Police. He said that there could be no co-operation between them and the magistrates because policemen were in con-

stant fear of their Inspectors and Superintendents, who were allowed to discharge cases at the Station Houses, after hearing evidence, and to decide whether they should go before a magistrate or not. He was at once asked for proof of this statement, and confessed that he was unable to provide it. He said: 'I have felt a delicacy in interfering or asking any questions.' When he was pressed on this point, he replied: 'I am placed before the Committee in a most unpleasant situation. I hope they feel that I am not a person to come forward to bring charges or make complaints with any ungracious view, and what I state is, from its being my duty to communicate what I observe, my impression certainly is, that the Superintendents and Inspectors do very extraordinary things.' In further explanation of his inability to clarify his insinuations he said: 'A great deal of mischief may go on which it is out of the power of the police magistrates to know or check. I do not say to what extent it may have gone on, because I have completely repudiated anything like espionage.' He was proved flagrantly guilty of espionage at a later date.

When he was asked if he had ever read the Metropolitan Police regulations with regard to the duties and powers of constables, Roe replied: 'I never saw the regulations.' This seems to have been a palpable lie, because copies of the Book of Instructions and Orders had been sent to all magistrates by the Commissioners. He protested strongly that he was not allowed to give orders to the police during riots, and was told by the Committee that the receipt of a magistrate's order by the police could have the effect of exonerating the Commissioners from responsibility for restoring order. He then produced amazing detailed proposals that each police station should be permanently controlled by a magistrate's representative, with the assistance of court officers, whose pay and numbers would be increased for the purpose, and that the Metropolitan Police should be relieved of all investigating duties. When asked how he would finance this scheme, he replied that the necessary funds could be found by abolishing plain-clothes police! He asked leave to mention 'with delicacy', his wish to abolish all Inspectors and Superintendents. Roe's emotionalism was a handicap to his intelligence, but events showed, later, that it could be formidable when it was the basis and inspiration of his cunning and of his intrigues.

The stipendiary magistrates who followed Roe were almost unanimous in condemning the Metropolitan Police on grounds that any attempt to separate the judicial and executive branches of the law was mischievous, and that the police system should be under magisterial control. One of them, William White, of Queen's Square, admitted that he was in the habit of assuring the police, when they applied to him for warrants against publicans, that their evidence

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would fail when the case came before him. He said that his object was to discourage police from undue interference with publicans, in view of the fact that the fines in such cases were paid to the police.¹ Some of the stipendiary magistrates admitted and deplored the fact that their court officers were jealous of the police, and made trouble for them ; others denied that any ill-feeling existed. Some magistrates began their testimony by praising the police, but showed later, that their intention was to conceal their hatred of them. All these witnesses contradicted each other in expressing their views of the methods on which the police system should be organized. Some demanded the abolition of the Commissioners ; others wanted to share control with them. Most of the magistrates wanted strict limitation of the powers of the police, with the outstanding exceptions of Henry Dyer, of Marlborough Street, and Charles Murray of Union Hall, who deserve mention as having unreservedly praised both the Commissioners and their men.

Several officials from the City were examined on the subject of the police chaos in that region, and they gave interesting details regarding the jealousy and corruption which was the cause of it and of the rule which prevented the Metropolitan Police from acting within the City boundaries. A number of suburban landowners, farmers and market-gardeners criticized the police institution almost solely from the standpoint of the taxation which had to be paid for its maintenance, and they demonstrated, in reply to questions, a formidable collective inability to understand and appreciate the principle of collective security and its values. In striking contrast with the evidence of the stipendiary magistrates, that of a number of county magistrates was wholly commendatory of the police and the police system.

The opportunity which the appointment of the Committee afforded of making charges against the police was warmly welcomed by the parish Vestries, many of whom sent deputations for the pleasure of indulging in this pastime. With the exception of the parish of St. George's, Hanover Square, whose representatives complained only of the expense of the police, the parish deputations repeated all the accusations which had already appeared prolifically in pamphlets and memorials, and in the Press, and new, lurid details were invented. These false witnesses were sadly embarrassed when the Committee demanded proof of all the charges, and insisted on their being either verified or acknowledged as having no foundation in fact. The Marylebone deputation were so thoroughly defeated by questions that they were obliged to admit that rumours were the only grounds on which they based their accusations, and one of the Vestrymen found no other defence for himself, under pressure of questions, than

¹ To the Private Fund ; not to individuals.

the bald statement that he preferred troops to police for purposes of keeping order. What Marylebone thought of 'Caesar's Wife' in the embarrassing situation in which its representatives found themselves is not recorded. The representatives of St. Leonard's, Shore-ditch, and St. James's, Southwark, also were obliged to acknowledge that they could produce no foundation except rumour, for any of the charges which they made. Having failed to produce any evidence in support of lurid charges against the police, and being pressed to explain his assurance and confidence in making them, one of the Vestrymen of St. Luke's, Finsbury, admitted that the parish sent out spies to watch the Metropolitan Police constables at night, and he was then forced to admit, also, that no evidence against them had been secured by these means. A Vestryman of St. George's, Middlesex, said that the police in this parish levied contributions on prostitutes aged nine and ten years and upwards, and that he had seen policemen doing so. By his answers to subsequent questions he was proved to have been deliberately telling lies. The theme of the stipendiary magistrates was their assertion that the police must be placed under their control. The theme of the pleas of the parish deputations was the need of the police being placed under the control of the parish Vestries.

The Committee closed their hearing of evidence by recalling the Commissioners, and allowing them to read it and to comment on it. They did so effectively. For the purpose of improving the police organization they recommended to the Committee, among other changes :

Inclusion in the Metropolitan Police of the Horse Patrol, the Thames Police, and the officers and constables of the magistrates' courts.

The lessening of unnecessary delay in the attendance of policemen at courts by empowering magistrates' clerks to prepare indictments.

Abolition of the powers of the Common Informer.

Permission for policemen to cross bridges without paying tolls.

Power to frank all police correspondence.

Alteration of the laws in order to regulate and define police powers and duties regarding cases of assault not witnessed, the collection of crowds in the streets at night, the activities of prostitutes, cases of drunkenness, the finding of persons who were destitute or dying, the presence of crowds at the Houses of Parliament or at the Royal Palaces, the control of carriage and other traffic, and the conduct of public-houses, and the control of nuisances.

CHAPTER XVIII

1834

OUTSTANDING events of police history during the year 1834 are the publication of the Report of the Select Committee of 1833-4, and certain remarkable consequences which followed the appointment of Viscount Duncannon as Home Secretary, on July 31, after the resignation of the Prime Minister, Earl Grey, and the formation of a new Whig Ministry by Lord Melbourne. London remained quiet throughout the year. Riots were expected, but did not occur, on the occasion of a Radical attempt, on April 21, to organize a huge procession for the purpose of presenting a petition to the King ; and also on April 13, when an orderly crowd numbering more than a hundred thousand men, women, and children took part in the funeral of a Radical leader. The progress of the police towards their goal of securing public approval and respect was noticeable but slow, and there was little decrease in the number of unnecessary troubles which were made for them in the courts and elsewhere, and in the publication of scurrilous and untruthful charges against them in the Radical Press. It is unnecessary to record these incidents in detail as they are illustrations of difficulties and problems which have been described and enumerated in earlier chapters.

The parent Select Committee of 1833-4 fully endorsed the findings of the two other Committees. As already noted, one of these approved the use of policemen in plain clothes, but condemned the methods which had been employed by Popay, and ordered him to be dismissed. The other exonerated the police from all blame for their conduct at Cold Bath Fields on May 13, on the grounds that no evidence of dangerous wounds suffered by the public had been produced, and that none of the police had been intoxicated.

The Report of the parent Committee was divided into three sections: 1. The Management and Conduct of the Metropolitan Police ; 2. The Expediency of Extending and still further Consolidating the Establishment ; 3. Such alterations in the Law as shall simplify and economize the Administration of Justice in the Prevention and Detection of Crime.

1. *Management and Conduct.* Under the first heading the Committee reviewed ' the state of morals and of crime in this Metropolis but a few years preceding the Act of the 10th, Geo. IV ' (1829), and deplored the fact that, in earlier times, ' security to persons and property was sought to be obtained, not by the activity and wholesome vigour of a preventive police, which it is the paramount duty

of the State to provide, but by resorting from time to time, as an occasional increase of the more violent breaches of the Law demanded it, to the highest and ultimate penalties of that Law, in the hope of checking the more desperate offenders,' and reference was made to what was welcomed as being 'the present orderly state of the Metropolis', which had been created by the Metropolitan Police. This public acknowledgment of the change which had been effected in London by the New Police is of historic interest. The reflection is added: 'Perhaps it is matter of surprise that so great a change should have been accomplished without greater opposition than has been experienced.'

Of the success of the police the Report recorded:

Much, in the opinion of Your Committee is due to the judgment and discrimination which was exercised in the selection of the individuals, Colonel Rowan and Mr. Mayne, who were originally appointed and still continue to fill the arduous offices of Commissioners of Police. On many critical occasions, and in very difficult circumstances, the sound discretion they have exercised, the straightforward, open and honourable course they have pursued whenever their conduct has been questioned by the Public calls for the strongest expression of approbation on the part of Your Committee.

The Committee noted that complaints against the police 'have not been well founded', but expressed sympathy with the critics of the system of financing the Establishment, which demanded 'an immediate remedy; and whilst the irregularity exists particular parishes may be paying more than their fair proportion to the Police Fund. . . . Your Committee think it is highly desirable that every part of the district contributing to the expense of the Police Force should be valued on a principle common to all, and be thereby placed on a just and equal footing.' A specific remedy was not suggested. The demand for parish control of the police was dismissed with the words: 'It would augment any jealousy which may now exist, and would diminish that unity of purpose which is essential for the maintenance of order and the prevention of crime. On the score of expense also . . . it would neither benefit the individual parishes nor tend to the general economy.'

2. *Expediency of Extending and Consolidating.* Under this heading the Committee recommended the immediate transference of the Horse Patrol and the constables of the magistrates' courts to the Metropolitan Police, and also transference of the Thames Police in the near future. Some hesitation is noticeable in discussion of the need of defining the separate duties of magistrates and of the Commissioners, but the Secretary of State was urged to attend to this matter as: 'he is immediately responsible for the tranquillity of

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the Metropolis.' Extension of the Commissioners' jurisdiction to the City was warmly recommended, and the creation of a Superannuation Fund was demanded as an urgent necessity, in the words :

Your Committee therefore recommend that the Secretary of State and the Police Commissioners should take this matter into their earliest consideration, with a view to the establishment with as little delay as possible of some provision for superannuation allowances and rewards for long and faithful service.

3. *Alteration in the Laws.* The Committee suggested that the jurisdiction of magistrates should be extended by law to encourage them to deal with poor peoples' disputes and enable these to be brought to courts, instead of being the cause of assaults. Alterations in the laws as recommended by the Commissioners for the purpose of defining police powers was also approved, subject to there being no increase of these.

The Report ended with the following statements by the Committee :

They deem it their duty to express their entire concurrence in the opinion of the Reports of the Committees alluded to ; and also to add that the Metropolitan Police Force, its management, and the principles on which it is conducted deserve the confidence and support of The House. That it is well calculated to check crime, and to maintain the peace and order of the Metropolis both effectively and constitutionally. And there is satisfactory evidence of this in the fact that on no occasion since the establishment of the Metropolitan Police has the military authority been called upon to assist the civil power in repressing any disturbance.

The conduct of the Commissioners throughout these enquiries was highly honourable to them ; and from the evidence of various witnesses Your Committee are of the opinion that the conduct of the men, generally, deserves the approbation of the Public.

Your Committee, keeping in view the whole evidence now placed before The House conclude with this expression of their opinion ; viz., that the Metropolitan Police Force, as respects its influence in repressing crime, and the security it has given to person and property, is one of the most valuable of modern institutions. . . .

Your Committee, however, do not rely upon any system of Police, however perfect, for the diminution of crime, unless in connection with an enlightened system of Prison Discipline and Secondary Punishments, and the still wider diffusion of moral and religious education ; which are the great and the only means of permanently advancing the moral and social condition of the people.

The satisfaction which the Commissioners enjoyed as the consequence of this public recognition of their achievements was soon marred by an unusually severe trial of their patience and their tempers. The Report represented a triumph for the Commissioners

over their enemies. They were not wholly conscious that Sir Frederick Roe was the most formidable of these, but they soon became aware of the fact, when he made a sudden and devastating attack on them with the most powerful weapon in his armoury, which was his mysterious influence with the Whig ministry. He lost no time in making more effective use of the immense force of his emotionalism, which had betrayed him when he gave evidence before the Committee. An opportunity of revenging himself on the men whom he regarded as hated rivals soon presented itself unexpectedly.

Late on the evening of July 19, 1834, a policeman of D Division found an uproarious crowd gathered round a cab which had stopped by the kerbstone in a street in Marylebone. In the cab was a young girl of the name of Ruth Morris, who was very drunk. At the door, the cabman was angrily demanding to be paid for his services before he went a step farther, and his fare was telling him that she had no money, and was loudly offering to give full and prompt value of his claims on her by other means, the suggestion of which delighted the ribald London crowd. The policeman immediately dispersed the gathering, and ordered the cabman to drive his fare to the police station.

To the Inspector on duty at the station the cabman told a sordid story of having driven from one public-house to another, on orders from his fare, and he laid a charge against her of having refused to pay him, and of having made suggestions for settlement which roused his anger and indignation. Ruth Morris was found to be too drunk to answer questions intelligently, and she was carried to a cell and locked in it for the night. The cabman was told to come to Marylebone Police Court on the following morning. Before the hour on which it was due to open, the girl was brought before Superintendent Lazenby and his clerk, Acting-sergeant Herbert King. Her name and the offences of which she was accused were entered on a Charge Sheet, along with those of other prisoners, and it was handed to a policeman on duty to take to the court. After he had gone, Ruth Morris told Lazenby that she had something very private and important to say to him, and she made a serious charge against an Inspector called William Wiggins, who was present in the office. In a few words Wiggins cleared himself by explaining that he had been absent from the office all night, and at that moment another Inspector, Squire Wovenden, came in. The girl pointed at him at once, and said, 'That's the man!'

The charge which she made against him was of a kind with which doctors are familiar. It is a well-known symptom of a certain type of hysteria when this is suffered by women who are abysmally ignorant of sexual matters. What was curious in this particular instance of it was the fact that Ruth Morris was a notorious woman

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of the streets. On her own showing, the act with which she charged Inspector Wovenden was a physical impossibility, and proof of the absurdity of her story was increased by the astonishing details with which she adorned it. Wovenden had inspected the cells in the course of his duties during the night, but other prisoners who were awake and aware of his visits gave evidence that the time which he spent in Ruth Morris's cell made it impossible for him to have been guilty of the act of which she accused him. The loud screams in which she asserted that she had indulged were heard by no one. Lazenby sent her off to the court, but the fact that he immediately called a cab and went off, post-haste, to see the Commissioners is proof of his awareness of the seriousness of the charge, in spite of its absurdity, and of his sense of the danger to the Force of the case coming to the notice of its many lurking enemies. His haste proves also the reality of the good discipline with which the Force was being administrated.

Rowan heard his story, and ordered him to go at once to the court and to take every possible step to persuade Ruth Morris to repeat her charge to a magistrate. Lazenby arrived too late. Ruth Morris's case had been heard, and she had been dismissed with a reproof and a warning, after paying the cabman the money which he had claimed from her. Some days later, Lazenby discovered her address and went to see her. When he expressed his own and Colonel Rowan's wish that she would make a charge against Inspector Wovenden to a magistrate, she asked if her name and the details of the case would be published in the newspapers. Lazenby told her that he could not prevent the newspapers from publishing them, and she replied, emphatically, that she would take no action whatsoever unless she was assured that her case would be given no publicity.

Ruth Morris had a young and wealthy client called George Mosely, and her story of her adventures at the police station seemed to her to offer a likely means of impressing him. He could not have believed it, but it appears that he judged it to be founded on fact, being unaware of details which would have negatived even this assumption if he had known them. He made a sudden appearance at D Division, and angrily demanded an interview with Inspector Wovenden, who was a married man with a family of six children under the age of thirteen, and an older boy who had recently become a policeman. It was an unfortunate fact that the Inspector allowed Mosely to bully him and abuse him, although he strongly protested that he was innocent. On hearing these facts, Rowan sent for Wovenden and asked Mosely to come to headquarters. The two men met again in a waiting-room at Scotland Yard. Mosely said, later, when he laid all the facts before Rowan and Mayne, that he never had any intention of making trouble for Wovenden, but that on this occasion

the Inspector went down on his knees to him, and he left Scotland Yard in disgust without waiting for the interview with Rowan for which he had been summoned.

On June 19, when Ruth Morris was arrested, Melbourne was Home Secretary. On July 30, he became Prime Minister, and he was succeeded at the Home Office by Viscount Duncannon. On the same date the Commissioners received a letter from Phillipps which stated:

Viscount Duncannon having received information that a charge was lately made against Inspector Wovenden by the Superintendent of the D Division for his conduct towards a female at night in one of the Station Houses, directs me to request the Commissioners to transmit for his Lordship's information a report of the charge, and of all that has taken place thereupon.

The Commissioners replied, on July 31:

No charge of the kind was made against Inspector Wovenden, by the Superintendent, but they enclose for his Lordship's information a copy of a report by the Superintendent of the D Division of an accusation against Mr. Wovenden by a woman who had been confined in the Station House at Marylebone upon the night of 20th [sic] June, which it is supposed is the case in question, and of the proceedings thereon, taken by the Commissioners' directions for the case to be heard by the magistrates.

On August 5, Duncannon demanded production of the D Division Charge Sheet of the morning of June 20. In reply, the Commissioners acknowledged the absence from it of Ruth Morris's accusation, and repeated the details of their efforts to induce her to prosecute, which they had furnished with their letter of July 31. On August 19, Duncannon demanded all the Marylebone Charge Sheets of June 19 and June 20. In the meantime, the Commissioners had discovered that Inspector Wovenden had been arrested on a warrant from Bow Street and confined in Newgate Gaol, and that Sir Frederick Roe had been instructed by Duncannon to make formal investigation of the charge against him. No information of these actions by the Home Office was given to the Commissioners, but an explanation of the mystery was soon found in the activities of Acting-sergeant Herbert King, who was Superintendent Lazenby's clerk at Marylebone.

King was a man of obviously weak character who was a clerk by profession, and had joined the police on account of financial misfortunes. It was customary to give men of clerical ability the post of Acting-sergeant, and to employ them as assistants to Superintendents who, being mostly ex-sergeants from the army, were usually in need of help in keeping their accounts and in compiling their reports. King felt himself aggrieved by the fact that his talents and education had to be put at the disposal of a man whom he regarded as being lacking in these qualities, and that he was paid,

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as clerk, only twenty shillings weekly for services which enabled the Superintendent to earn his annual salary of two hundred pounds. In a long series of petitions to the Home Office at later dates, King naively confessed these views, but it is not recorded that he ever received the financial reward he demanded for the treachery to the Commissioners of which he was guilty.

The weakness of King's character is made evident by the fact that he was unable to refrain from boasting to a fellow-constable about his intimate relations 'with Sir Frederick Roe and other noblemen.' His colleague, Thomas Harrison, promptly reported this information to Lazenby and the Commissioners, and said that King :

had come out of the reserve room rubbing his hands and said that things were going very well ; that there were a good many assisting him ; and that Sir Frederick Roe would get him a good situation.

King told Harrison that he was making a book in shorthand which recorded everything that transpired in connection with the Wovenden case, and that he was keeping Roe informed. What induced that foolish confession is a mystery. On Lazenby's instructions, Harrison purloined the book, and it provided the Commissioners with ample proof of his statements. It had become clear to them that Roe and Duncannon were in possession of facts which were supplied to them by someone in the Marylebone office, and the source was now revealed.

Roe's conduct of the investigation of the Ruth Morris case was one of the most extraordinary travesties of justice which is to be found in legal history, and it was a pitiful and shameful exhibition of self-abandonment, on his part, to the dictates of uncontrolled passion and emotionalism. He allowed himself full indulgence in venting, regardless of cost to others, his long-restrained feelings of hatred and jealousy of the Commissioners and their men. He opened proceedings by announcing that they must be conducted in private out of respect for the Commissioners' feelings. For the same hypocritical reason he forbade the presence of reporters and the taking of notes by anyone who was present. He refused to listen to any item of evidence which seemed likely to favour Wovenden, and ordered the clerk to omit it from the record. He bullied all the policemen witnesses who had been on duty at D Division, and drove them to complain that they did not know the questions to which they were supposed to be giving answers and that their answers were applied to questions which they had not been asked. Hearing that one of them, Sergeant Crowe, was seriously ill and in bed, Roe sent a Bow Street officer for him, and at the end of a particularly long and fierce questioning by Roe, Crowe remarked, pathetically, that he was so ill he did not know what he was saying, and he died next

day in consequence of his ordeal. Information came to Roe, probably from King, that Wovenden's son was searching London in order to produce, as witnesses on behalf of his father, Ruth Morris's cabman, and also one of the prisoners who had occupied the cell next to the one in which she had been confined. Roe sent for the boy, and told him that he would be called as a witness against his father unless these activities were discontinued. He refused to allow young Wovenden to attend his father at the investigation on the hypocritical grounds that the sight of his son would be 'too painful for his feelings'. For the same reason the boy was refused permission to visit his father in Newgate. The witnesses' complaints of Roe's behaviour at the investigation and other facts in their possession provided the Commissioners with reasons for a demand to hold an inquiry at Scotland Yard which Duncannon did not dare to refuse, and the evidence which they collected on this occasion and forwarded to the Home Office included the details of King's activities, and was beyond the power of Roe or anyone else to contradict. Their report was a devastating exposure of Roe, and their feelings can be imagined when they discovered that it was a weapon which completely failed to pierce the armour of his strange influence with the Whig ministers.

Wovenden was attended at the investigation by a solicitor called William Humphreys. In explanation of his weak support of his client, he told Rowan that he decided to say nothing because Roe was so excited, and the absurdity of the charge made a favourable ending of the case inevitable. He said, also, that the only discrepancy in the evidence of police witnesses in the course of the entire proceedings was a statement by Sergeant Crowe, the sick man, that Ruth Morris's address was known to Lazenby, who had stated that he was unaware of it. Roe made this contradiction the basis of a furious attack on the police, and he refused Lazenby's request to be recalled in order to state the date on which the address had first come to his knowledge.

At the end of the investigation, when Wovenden was charged in open court, Roe found himself confronted by two difficulties. The first was that Ruth Morris insisted on adhering to all the details of her absurd and impossible story. The second was her firm refusal to sign the deposition against Wovenden if by doing so she would be obliged to prosecute him. Roe was forced to let the charge against Wovenden remain unaltered in any way that would relieve it of its obvious falseness, and he was unable, for some time, to overcome the girl's stubbornness in the matter of her signature, so he lied to her. 'I give you my word of honour,' he told her, 'it is not you that are to prosecute; it is Lord Duncannon.' With that false assurance the girl signed. To anyone who possessed knowledge and understanding of the facts of the case, this verbal contest must have

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been a curious spectacle. Each of the participants was the slave of a sanity-destroying obsession, but the pathetic young outcast of the streets who was driven by an urge to dramatize herself in the role of an injured virgin was less despicable and more considerate of others than the respected legal luminary who was allowing the passion of his jealousy of the police to deprive him of all sense of honour and humanity.

A more absurd case than that of Ruth Morris's charge against Wovenden can seldom have been presented to a Grand Jury. When the Bill came before them they threw it out at sight. On receipt of the Bill of a second charge of assault, which had been added by Roe, they called the girl, and threw it out, also, after asking her two questions only. Wovenden was set free. The Commissioners then began preparations for their counter-attack for the restitution of justice for their men. They opened their inquiry at Scotland Yard on August 25, and it lasted until October 15, when they forwarded the results to Phillipps in the form of a massive bundle of documents. It was accompanied by a long covering letter which is a masterpiece of clear deduction and unanswerable logic, and is obviously the work of Mayne. It opens with submissions that the Commissioners should not have the responsibility of pronouncing judgement in the case, and that this should come only from the highest authority. They offered a detailed analysis of the facts of the case and of the evidence, 'with such observations only, from themselves, as they submit are deserving of his Lordship's attention'. Their confident assumption that Duncannon possessed a sense of justice and that he would allow it to govern his view of the case was a serious miscalculation.

The Commissioners' analysis of the charge against Wovenden and its absurdity provides a complete vindication of his innocence.¹ On the subject of the weakness he displayed in imploring Mosely to prevent a prosecution the Commissioners wrote :

Such conduct is highly reprehensible and unbecoming his situation as an officer of police ; but however unwise and deserving of condemnation it may be, he appears to have been influenced by a mistaken belief that if the charge (tho' untrue) were brought before the Commissioners he would lose his situation, and that under the distress of mind from such a dread he was induced to make the solicitations to the parties.

Wovenden's fears provide evidence, not of his guilt, but of the effectiveness of the strict discipline with which the Commissioners administered the Force and ensured their close control of the actions and behaviour of Superintendents and Inspectors, who were alleged

¹ It is impossible to read this part of the Commissioner's evidence and to retain the slightest suspicion of Wovenden's complete innocence.

by Roe to be ungovernable. Of the complaint that Wovenden should have been arrested at once when Ruth Morris accused him, the Commissioners wrote :

The Inspectors and other superior officers could not perform their duties with independence, and maintain the authority requisite for carrying on the Police Service, if upon any charge made by a prisoner they were themselves to be treated as criminals and placed in confinement. Serious collision of authority amongst the police themselves and other obvious evils must be the consequence; which it is unnecessary for the Commissioners to trouble his Lordship with detailing.

Among the interesting documents which accompanied the Commissioners' letter of October 15 was a copy of an outburst against the police which Roe had made in open court, after the investigation, when he committed Wovenden for trial. On this occasion a reporter called George Archibald, who was employed by *The Times*, was present, and he recorded Roe's words in shorthand. The Commissioners had at once complained to the Home Office, on August 25, and requested :

. . . that the general observations, as reported, by Sir Frederick Roe may not be allowed to effect that injury to the Police Service which they must necessarily produce upon the public mind. The Commissioners, being fully sensible that the real efficiency of the police depends upon the estimation in which it is held by the public, they are most anxious that it should at once be made appear that tho' some individuals may be guilty of crime and misconduct, the general stigma upon the body is undeserved.

In accordance with customary procedure, the Commissioners' complaint was passed to Roe, who replied with a long and typically meaningless letter which opened with a vague denial of what he was accused of having said, and continued with an assertion that he could not answer the Commissioners' demand for details of his complaint against the police because, 'it is to Viscount Duncannon alone I could offer my opinion.' He referred also to a criticism which they had made of his ruling that the investigation was to be private, and stated that he had suggested this procedure to Phillipps 'out of delicacy to the Commissioners', and that he had agreed that it should be adopted. Duncannon indicated his support of Roe by taking no action, and this behaviour should have warned the Commissioners of the treatment they were likely to receive when they dared to assert themselves after Wovenden had been released.

The following are extracts from Archibald's report of Roe's outburst which was printed in *The Times* of August 25 :

. . . at last the circumstances reached the ears of Lord Duncannon, and the moment the charge was intimated to him he

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directed me to set about an investigation into the facts, and I lost no time in doing so. . . . In spite, however, of every exertion on my part to arrive at the truth, I found the greatest difficulties thrown in my way by those who should be the first to afford me every assistance. Instead of the police constables evincing an anxiety to expose the truth, I met nothing from them but prevarication upon prevarication, contradiction upon contradiction, and falsehood upon falsehood, in short, the whole tenor of their evidence from first to last was a tissue of prevarication and the most degrading, disgraceful contradictions. . . . I can only say that having been a magistrate for nearly thirteen years I never in the course of my experience during that time found in any set of witnesses conduct so likely to impede and subvert the ends of Justice as that which I experienced in my attempt to investigate this case, and I feel I should be doing wrong if I did not say so. I will just add that although it is well known I never was an advocate for the new police system, I have always felt it my duty as a magistrate to support the constables in the execution of their duty, but conduct so bad as that which the witnesses exhibited on this occasion I never saw before . . . in this case not only no man stepped forward to afford me the slightest assistance, but every impediment was thrown in my way by the police, although the investigation was ordered by their master as well as my own.

The most interesting items of the evidence which was supplied to the Home Office by the Commissioners were their account of the activities of Acting-sergeant King, and George Mosely's report of his conversations with Sir Frederick Roe. Mosely gave his evidence unwillingly, and only as the consequence of Mayne's definite promise that it would not go out of the office except to Viscount Duncannon. Mosely said :

I had no desire that an investigation into the conduct of Mr. Wovenden should be made except by the Commissioners of Police. . . . I made no communication to Lord Duncannon to have it investigated. The first knowledge I had that the charge was to be investigated by a magistrate was on Sir Frederick Roe's sending for me shortly before the examination took place at Bow Street, requesting me to bring Ruth Morris to him next day. I brought her to Bow Street that afternoon. She was examined. I protested against it when I saw she was going to be sworn, as she did not wish to prosecute, and I did not wish my name to be brought forward. Sir Frederick Roe said he had orders ; Lord Duncannon had heard of it, and had ordered him to investigate it. When I saw it was to become so important a case, I wanted to stop it, and asked whether I could see Lord Duncannon.

Roe gave Mosely a letter to Phillipps who told him, ' it was out of Lord Duncannon's hands, and Sir Frederick Roe must proceed with it as a magistrate '. Roe's knowledge of the existence of Mosely was unlikely to have come from anyone except King.

In his reply to their letter of October 15, in which the Commissioners reported the results of their inquiry, Duncannon ignored almost every point which they had submitted to him. He wrote, on October 31 :

I have carefully read over the Report of the Commissioners of Police, but I cannot find anything to induce me to think that the Inspector is a fit person to be placed in the responsible situation that he lately filled. His own acknowledgment makes it clear on his first being accused by the woman that his conduct must have been most improper, altho' the crime of which he was accused had not been committed, and the whole of his subsequent conduct leads me to suppose that he dreaded an enquiry.

Wovenden never made any acknowledgment. Lazenby told the Commissioners that he had at first believed, in view of the Inspector's visible embarrassment, that there might have been a grain of truth in Ruth Morris's accusation, but that investigation and consideration of the facts had soon given him absolute confidence in Wovenden's complete innocence. In the next sentence in his letter Duncannon ordered Wovenden's immediate dismissal, and continued :

With respect to the Superintendent, I consider his conduct in the discharge of his public duty most culpable in omitting to insert a Charge of a most heinous nature on the Charge Sheet, and I cannot consider that the instructions alluded to by the Commissioners as applying or meant to apply by them to charges of this description. The directions may be most proper in reference to the charges and counter-charges of daily occurrence, but would be most improper if made applicable to serious cases of this description. The safety of the public depends much on the integrity and honesty of their officers, and I cannot think that, with the stigma that will attach to his fault, it is fit that he should remain in the Police Service.

There appears to have been some further exchange of letters between the Home Office and the Commissioners which have not been preserved. Duncannon issued orders, about this time, to the effect that every charge made against a member of the Metropolitan Police by anyone must be entered on a Charge Sheet and taken to a magistrate, and reported to the Home Office immediately on its occurrence, and if the charge resulted in punishment by a magistrate, the offender was to be dismissed. On November 8, the Commissioners wrote to Phillips :

The Commissioners of Police beg to acknowledge the receipt of your letter of the 31st ult., conveying the directions of Viscount Duncannon for the dismissal, from the Police Force, of Inspector Wovenden, and also of Superintendent Lazenby ; and to acquaint you for his Lordship's information that they have been dismissed accordingly.

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In reference to the omission by Superintendent Lazenby to enter the charge against Inspector Wovenden on the Charge Sheet, which has been the cause of his dismissal, the Commissioners beg permission most respectfully to call to the recollection of Viscount Duncannon that when the Metropolitan Police were about to be established, the Commissioners were directed, by the Secretary of State then at the head of the Home Department, to draw up a code of instructions, as a basis for the organisation of the Force, and for the regulation of the men ; this was accordingly done, and a copy is given to each man on his joining the police. In addition to these original instructions, the Commissioners have, from time to time, given orders in writing according to the circumstances of particular cases as they arose, or which appeared advisable from a further experience of the practical working of the system. Such of those orders as were of a general nature have since been printed by directions of the House of Commons, up to a certain date ; and the Commissioners believe they are correct in stating that the police have had no other general rules than those above-mentioned by which to regulate their conduct.

The Commissioners feel assured that, in the conscientious discharge of their duty, they may respectfully represent to Viscount Duncannon that Superintendent Lazenby did not, upon the occasion which has led to his dismissal, violate any of the instructions or orders above referred to. Since the receipt of your letter the Commissioners have issued an order to the police, in reference to such cases, in accordance with the intimation of Viscount Duncannon's opinion contained therein ; and, if it was their duty to foresee that the line of conduct pointed out by this order was to be preferred to the practice of reporting charges, made against any of the police, direct to the Commissioners in the first instance, the Commissioners would beg leave to take the blame entirely on themselves, as an error of judgment for which they are justly responsible.

The Commissioners are compelled to feel, which they do with the deepest regret, by the mode in which the late proceedings in Mr. Wovenden's case were originated, and have been carried on, that they have failed to obtain the confidence of the Secretary of State in their management of the police Force. They are fully sensible how greatly the anxieties of their position are thereby increased ; and they cannot but feel that, after the experience they have had, it would be a dereliction of their duty were they to abstain from declaring to Viscount Duncannon, most respectfully but most earnestly, their opinion that, if their authority over the numerous body of the police entrusted to their immediate charge should in any degree be impaired, or the respect for the Commissioners, so necessary for maintaining the organisation of the police Force, be at all shaken, it will become extremely difficult, if not impossible, for them to carry on the service with credit to themselves or advantage to the public.

The Commissioners beg leave to enclose a copy of the order which, as already stated, has been issued by them to the police, in accordance with what they now understand to be the view taken by the Secretary of State with respect to such cases ; by which the conduct of the police will in future be regulated.

This letter was signed by Rowan, and it enraged Duncannon. The exact meaning of the penultimate paragraph is a little difficult to understand. It is possible that its final words represent a mitigation of what was at first drafted. The Police Orders relative to Duncannon's instructions were appended :

POLICE ORDERS

4, WHITEHALL PLACE,

4th November, 1834.

1. The Commissioners have received Viscount Duncannon's directions to dismiss Superintendent Lazenby and Inspector Wovenden from the Police in consequence of the result of the investigation into the charges made against Inspector Wovenden by Ruth Morris, and Superintendent Lazenby and Inspector Wovenden are dismissed accordingly.
2. In future if a charge of felony should be made against any individual of the Metropolitan Police by any person whatever, whether prisoner or otherwise, the Superintendent will place the name of the Officer so charged upon the Charge Sheet, and take the Charge before the sitting magistrate as in other cases, without waiting to report the circumstances to the Commissioners, if any delay would be occasioned by so doing. The occurrence is to be reported to the Commissioners as soon afterwards as possible, and inserted as usual in the following Morning Report, and the Charge Sheet containing the decision of the Magistrates in that case will be laid before the Commissioners at the same time.

Duncannon's reply which he made through Phillipps took the form of a severe rebuke to the Commissioners, and they abandoned the struggle. The strain on their patience can be imagined. That they were justified in exercising and maintaining it was made abundantly clear a few weeks later. What was at stake and was saved by their consummate exercise of restraint was the existence of the Force and of their ideals, and of the whole of the work which they had undertaken since their appointment in 1829. Phillipps wrote :

I beg to inform you that I have laid before Viscount Duncannon your letter of the 6th inst., informing his Lordship of the dismissal of Inspector Wovenden and Superintendent Lazenby, and enclosing a copy of a general order issued by you.

Viscount Duncannon directs me to inform you, with reference to a statement in your letter in which you appear to justify the conduct of the Superintendent, that his Lordship continues to be decidedly of opinion that when the charge against the Inspector

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of the crime of Rape had been made to the Superintendent in that distinct and solemn manner, as represented by him in his report, it was his duty to take down the charge in writing, and to insert the charge in the Charge Sheet prepared for the sitting magistrate ; and that nothing less than an express order from the Commissioners, after a hearing of the report of the charges, could absolve him from his duty.

Viscount Duncannon directs me to observe, on the order which you have issued, his Lordship thinks the order should not be confined to charges of Felony, but should be made to apply also to all cases of aggravated or serious misdemeanour. I am further to point out to you, in consequence of a misconstruction which you appear to have put upon Viscount Duncannon's letter, that it was not with reference to any order which should be retrospective that his Lordship directed the dismissal of the Superintendent ; and that his decision must of course be considered as entirely independent of any orders subsequently made.

On that part of your letter in which you have made a reflection or insinuation—which Viscount Duncannon thinks it became you not to make—upon the mode in which the proceedings in the case of the Inspector Wovenden were originated and carried on, his Lordship directs me to observe to you that these proceedings were according to the regular and ordinary course, and that this was the only course which could be properly adopted in such a case.¹

Viscount Duncannon cannot think there is the least reason for assuming that the decision or proceedings in this case can in any degree impair the authority of the Commissioners. On the contrary, Viscount Duncannon believes that they will have a good effect upon the discipline of the police, and tend to the public good.

That the Home Office staff were aware of the strain on the patience and, possibly, the tempers of the Commissioners is revealed by a letter on the files. Sir Robert Price wrote to Phillipps on November 12 asking him to assist in securing Wovenden's place for a nominee. Phillipps or someone else scribbled on the letter : ' Better not mention this request to the Commissioners just at this time.'

What was in Duncannon's mind is far from clear. He lost no time in following up his victory over the Commissioners with an attack on the organization of the police Force which indicates an intention to alter its entire organization and deprive the Commissioners of their influence. It is doubtful if the Cabinet were aware of his activities, and it is improbable that Melbourne would have sanctioned any fundamental weakening of the Force in view of the value of its efficiency to the Ministry. On November 6, the Commissioners received the following surprisingly tactfully-worded letter from Phillipps :

¹ The draft copy of this letter reads : ' On that part of your letter in which you have made a reflection or insinuation which it became you not to make . . . '

MY DEAR COLONEL ROWAN,

Will you be so good as to send to me for Lord Duncannon's information very detailed and full information as to the manner in which business is conducted, both at night and in the day, at the several Station Houses; how many officers are employed there, and what are their duties; what are the regulations to be observed at the Station Houses; and all other particulars which show the course of business there; what communications are made by the Superintendents to the Commissioners respecting the transactions at the Station Houses.

Lord Duncannon is also desirous that you should consider with Mayne whether on future appointments of Superintendents the salary may not be reduced to £150 per. an., with advantage as well to the efficiency of that officer as to the general discipline of the service.

I have sent this in the form of a written request, thinking it will be most convenient to you, but shall be ready if you please at any time to confer with you upon the subject.

Believe me,

Yours very truly,

S. M. PHILLIPPS.

If Duncannon's object was the abolition of Superintendents and their substitution by some form of magistrates' representatives, in accordance with Roe's proposals to the Select Committee of 1833-4, the suggestion to reduce salaries was a clever preliminary step in this direction. It was probably prompted by Roe, regarding whom there are many evidences that he was the inspiration of Duncannon's police activities. Rowan replied to Phillipps on November 7:

MY DEAR SIR,

We shall immediately collect under one view the information called for by your letter of yesterday marked private. I fear, however, it will require a day or two to transcribe it so as to bring it all into juxtaposition, but it shall be done as soon as possible, and sent over.

I am, My Dear Sir,

Faithfully yours,

C. ROWAN.

On November 17, Rowan sent Phillipps an immense dossier of papers and forms under cover of a long letter containing a detailed description of the daily working-organization of the police institution. Included among the documents were copies of all the instructions and orders which had ever been issued to the Force regarding the mode of conducting business at the Station Houses. There were blank specimens of all the Report forms, and a complete set of these which had been filled in, and received at Scotland Yard, on a particular date. On the subject of reducing Superintendents' salaries, Rowan wrote:

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The Superintendent's situation is one of considerable responsibility. He is immediately answerable to the Commissioners for the conduct and appearance of a large body of men, in order that their duty to the public is in all respects efficiently performed so as to secure the peace and good order of the local district, to the satisfaction of the inhabitants. He is responsible that, in the numerous changes that take place in the police constables, the clothing of all those who quit the service, which is public property, shall be returned into store in good order, and, if not, to make good the deficiency. He is responsible for the regular weekly payment of the men under his charge, and for the correctness and regularity of his accounts, and in the performance of this weekly duty some of them are obliged to ride upwards of thirty miles. In the performance of his duties, the Superintendent is called upon to have frequent communication with magistrates, with parochial authorities, and with respectable inhabitants of his particular district, and for these reasons, as well as to support his authority with his men, it is desirable that he should be able to maintain a respectable appearance, both with regard to his residence and his person. In fine, to be able fully to perform his duty to the public, the Superintendent ought to be a man of judgment, intelligence, and discretion, and capable of undergoing considerable fatigue.

Taking these circumstances into their careful consideration and looking to the sum that would be saved to the public by the reduction suggested of £50 for each of seventeen Superintendents, the Commissioners cannot say that they would be able conscientiously to recommend such reduction, or that it would in the end be attended with benefit to the public service.

Before Duncannon had time to receive this dignified rejoinder to his demands, he was out of office. Rowan's patience was rewarded by the unexpected news that the Melbourne Cabinet had resigned, following the death of Lord Althorp's father, the removal of his heir to the House of Lords, and the King's refusal to accept Lord John Russell as Althorp's successor in the leadership of the House of Commons. The King had summoned Wellington. A messenger had been sent, post-haste, to Italy to recall Sir Robert Peel for the purpose of forming a Tory Government, and Wellington had taken charge of all the principal ministries, pending Peel's return. It may be reliably assumed that the Commissioners were pleased to hear this news, but neither in 1834 nor in any other year is there the slightest indication, in their actions or their correspondence, of their having had any party political preferences.

The Wovenden case roused surprisingly little interest on the part of the public. They regarded it with indifference as being merely a matter of the doubtful guilt or innocence of a police Inspector who had been accused by a woman of the streets, and they never knew the inner history of the affair, and the detail of the parts which the

Commissioners, Duncannon and Roe played in it. There is evidence, on the other hand, that the injustice which was suffered by Lazenby had a striking effect on the public's sense of fair-play, and that it inspired protests which were characteristically British in their origin and in the manner in which they were expressed. It is pleasant to record that Marylebone took the lead in giving voice to them. When the news of Lazenby's dismissal reached the Vestrymen, they passed a resolution, on November 8, which recorded their opinion that he was 'a most efficient and useful officer'. A Memorial praying for the reinstatement of Lazenby was sent to Duncannon, and he was asked to receive a deputation from the parish which would express the views of its inhabitants. The wording of the Memorial shows that it was the work of Duncannon's own party followers, and it affords striking proof of the steady progress of the police towards the achievement of their ideal. The following is the concluding paragraph :

The Committee desire to inform your Lordship that they are actuated by no hostile feeling towards the Government, indeed they cannot sufficiently admire the vigilance maintained by your Lordship over the Police Force, but solely by an anxiety to befriend a man who has passed some of the most active years of his life in the service of his country both in a military and civil capacity. They have no doubt that a good character will have its due influence on your Lordship's well-known disposition to reward merit, and encourage that good feeling which is daily gaining ground between the Police Force and the Inhabitants of the Metropolis.

Duncannon replied to the Marylebone parishioners on the day before he left office, 'that he could not appoint a time to receive a deputation, but that he would give the Memorial every consideration'. When Goulburn became Home Secretary, the Marylebone petitioners again asked for the reception of a deputation, but he avoided giving them a reply, and baffled them by leaving office when the Whigs returned to power after the Tories' brief enjoyment of their famous "Hundred Days" in office. Lazenby petitioned on his own behalf, but without success, Wellington, Goulburn, and, finally the new Whig Home Secretary, Lord John Russell. The petition to Russell was presented to him by the Commissioners, and strongly endorsed by them in the form of a covering letter. Russell replied on April 21, 1835, 'he thinks he ought not to interfere with the decision of his predecessors in the Home Office'.

There is no further mention of Lazenby in the police records. Wovenden submitted several petitions, without success, and his name also disappears. The Commissioners received many letters from army officers who had known Lazenby and Wovenden during

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the wars with France. Both men had distinguished army records. A Colonel Egerton wrote that he had known Wovenden for many years as a gallant and highly respectable Sergeant-Major of the 2nd Battalion of the 34th Regiment. 'I am just arrived in town with Lord Hill,' he added, 'but was unwilling to lose a day in making known the interest I take in the poor "Squire".' What happened later to these two innocent victims of Roe's spite and jealousy is not recorded. As part of the price which the police paid for the sympathy and understanding of the public, their sufferings were not in vain.

THERE were distinct signs during 1835 that the public were becoming more tolerant and more appreciative in their attitude towards the police. The flood of complaints was unceasing, but the majority of them were more reasonable in form, and less aggressive in tone, than they had been in the past. Most of them were obviously the product of ignorance of the principles and the functions of the police, and of the many legal handicaps from which they suffered, and the vigour with which the public voiced their complaints was often absurdly disproportionate to the importance of the particular grievance which inspired them. In January, the public became actively concerned with the fact that small boys were in the habit of trundling iron hoops on the pavements, and frightening horses and causing them to bolt, and the Commissioners were obliged to explain, formally and officially, and at some length, in reply to many complaints which had reached them and the Home Office, that they were unable to suppress the nuisance unless legal powers were provided for them for this purpose. They said that they had issued orders to their men that hoops were to be confiscated, and that these orders had to be cancelled in view of the many threats of legal action against the police which had been made by the parents of the boys who had suffered. Another sudden wave of public criticism of the police was inspired by the nuisance of sandwichmen carrying advertisement boards on the pavements. The police had no powers to remove them to the roadway. In connection with these two loudly-voiced complaints, and others, the Commissioners informed the Home Office that they were constantly receiving:

complaints from the public against the police for not doing anything (altho' they were doing their best), and the Commissioners have great difficulty in getting the public to see that the police have no powers.

It might be imagined that the Commissioners' sufferings would have been infinitely less than they were, if a Tory administration had been in power during the years in which they gave shape to the police experiment. The correctness of this assumption is not confirmed by their experience of the behaviour of a Tory Home Secretary during the short period of the "Hundred Days" when Peel's friend, Goulburn, was in charge of the Home Office. It was the misfortune and not the fault of the Commissioners that the public's intense dislike of the police establishment which inspired the Whigs to make

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public display of their hostility towards it inspired the Tories to hide, officially, and to fear to display, the friendliness which they might have been expected to feel towards a child of their own creation. In March 1834, a police-sergeant of the name of George Dismore was forced to resign on account of having refused to pay a genuine debt to a man who had complained about him to the Commissioners. From a curiously-worded petition which Dismore sent to Duncannon on November 13, 1834, it is clear that the dismissed sergeant had helped King in providing evidence for Roe and Duncannon during the investigation of the Wovenden case, and he demanded in his petition, without specifying the nature or the detail of his services, "such recompense as Your Lordship may think the case requires." In further proof of his zeal as a spy, Dismore appended to his petition a list of crimes which he assured Duncannon were being committed by the Commissioners at Scotland Yard. These are of interest as being the worst faults which an active enemy had been able to find at headquarters, where he had been employed. The charges were as follows :

1. The police Private Fund which is raised by petty fines is used for the payment of plain-clothes spies.
2. Superintendent May's son, aged fifteen, is paid out of the Private Fund for clerical work at the office.
3. Superintendent May employs constables as domestic servants, and to make clothes for himself and his family.
4. Commissioner Mayne uses police horses as cover hacks during the hunting season. Two police horses are deprived of one-third of their forage in order to provide food for Mayne's private horse.
5. Superintendent May drives his friends about the country in a cabriolet drawn by police horses.

The petition and its appendage came into the hands of Henry Goulburn, who ignored it, until he received, one day, a letter from the Commissioners which seems to have alarmed him, and moved him to take action. Mayne wrote, on January 26 :

Copy of the letter from Dismore to Lord Duncannon is in the hands of one of the editors of the *True Sun* newspaper, and he has written again to-day wishing to be allowed to come here and examine the books upon the subject. As we cannot allow him to do so we wish to answer him by saying that we have sent an answer to the Secretary of State, and that our answer was satisfactory.

In the answer, which Mayne naively assumed would be satisfactory to Goulburn, all the misdeeds of which Dismore had accused the Commissioners and May were explained. Melbourne, characteristically, had ordered the payment of extra allowances to plain-clothes men to be made out of the Private Fund. May provided clear proof

that he had not used either police staff or horses in his private service, and May's son, whose age was seventeen, had been given a small payment for very useful work as a clerk. Mayne denied having used police horses in the hunting field, and said that he had paid all the expenses of keeping his private horse in the police stables. With the exception of this last item, Goulburn graciously approved all the explanations, although he expressed dislike of the irregularity of the payments to young May, on the grounds that they represented 'exceptions to regulations which should never happen, in everyone's interest.' Phillipps informed Mayne of Goulburn's view that the practice of keeping a private horse in the police stables was 'not satisfactory', and that it 'ought not to have existed'. The letter continued :

In conclusion I am directed by Mr. Goulburn to state that the high commendations which the Parliamentary Committee of the last session bestowed both upon the Commissioners individually and upon the general arrangements of the Police Force appear to him to render it the more imperative upon all the members of that body to uphold the character of the establishment by the strictest obedience to the existing Regulations, and they also make it the more necessary for the Secretary of State promptly to check every departure either from the letter or the spirit of these Regulations.

Mayne was unduly and unnecessarily hurt by this rebuke, and it led to correspondence between him and Goulburn which lasted for some weeks, and ended, finally, in an interview between them, at which Goulburn gave him definite assurances of confidence and belief in his assertions that he had been innocent of intention to defraud the nation by keeping his horse in the police stables.

There were increasing signs in 1835 of the success of the Commissioners' tactics in providing editors of reputable newspapers with the true facts of cases which had been reported in the form of false accusations against the police. By establishing friendly relations with these editors, the Commissioners were frequently able to secure widespread publication of pronouncements which were made in favour of the police by juries and other bodies. Evidence of increasing public appreciation of the police was accumulating steadily. There are several letters in the files which have reference to a proposal that the police should undertake the entire duties of guarding the House of Commons and the House of Lords. It had been the custom, for centuries, for Westminster to supply constables for the purpose, when Parliament was sitting, and the existence of the police had inspired among the inhabitants a desire to be relieved of the honour. A letter from Viscount Sidmouth to Goulburn, dated March 9, 1835, suggests the existence of an interesting plot, on the part of the Deputy High Constable of Westminster and others, to

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secure the services of the Metropolitan Police at the Houses of Parliament, but to have them placed wholly under his control without interference by the Commissioners. This plot was foiled by the Commissioners, and the correspondence led to their full assumption of police duties at Westminster at a later date. Many petitions were received at the Home Office from parishes outside the police area asking for inclusion in it, but such requests were frequently followed, a few days later, by counter-petitions opposing the suggestion. These were sometimes the beginnings of a war of petitions, lasting for months, in which each side accused the other of not representing the wishes of the majority of the parishioners for whom they presumed to be pleading. Seekers of inclusion in the police area invariably affirmed that their opponents were all law-breakers and evil-doers who were inspired by fear of the exposure of their wicked ways which the presence of police in the parish would be certain to ensure. Parishes which petitioned for inclusion in the police area were given a firm answer by the Home Office when the Whigs returned to power in 1835 :

Lord John Russell thinks it would not be advisable to extend the limits of the Metropolitan Police District so as to comprehend within its range the Parish of —.

The Bow Street Horse Patrol which for some years had been under the control of the Home Office was transferred to the Metropolitan Police in 1835, but this appears to have been the only suggestion made by the Select Committee of 1833-4 of which the Whigs took notice. All the other recommendations were ignored until 1839.

The first of many appeals from colonial governments for assistance in police organization came to the Commissioners in 1834, from the Barbadoes. This colony had decided to create ' a Police Force rendered necessary by the change in the condition of the Negro Population ', after the abolition of slavery, and the local government asked the Commissioners to send out a man who could organize it and superintend it. They sent Inspector Francis Mallalieu, who was appointed Inspector-General of Police, on his arrival, ' by an Act of the Legislature which received the assent of the Governor, but which was subsequently disallowed by His Majesty in Council on the ground that the appointment was made in an unconstitutional manner and should have been vested in the Executive '. The cancellation of the Act was the work of Lord Aberdeen, who was Peel's Minister for the Colonies during the " Hundred Days " of Tory rule. Mallalieu spent some weeks in the islands and secured warm praise for his work from the Governor and other officials on the spot, but he was obliged to return home as he had no official appointment. The Commissioners at once secured his reinstatement in the London

Force. The outcome of their later responses to colonial appeals was much more satisfactory.

Evidence of a change of attitude towards the police on the part of the London parishes is seen in numerous appeals for assistance in the conduct of local elections of every kind, and the Commissioners received numerous letters from Returning Officers thanking them for police services. The tone of an appeal from a Vestry on March 30 reveals a change which is in striking contrast with that of earlier parish correspondence. Rowan must have thoroughly enjoyed composing his reply :

JOHN S. TAYLOR,
Vestry Clerk,
14, St. James Street.

SIR,

The Commissioners of Police beg to acknowledge the receipt of your letter of yesterday's date, stating that you are directed by the Churchwardens and Overseers of the Poor of the United Parishes of St. Andrew, Holborn, and St. George the Martyr to request the assistance of the police in order to preserve the Peace in case of a forcible entry by persons (whom you state to be illegally elected as Governors and Directors of the Poor) into the Board Room in order to dispossess the legally elected Governors and Directors of the Poor of these parishes.

The Commissioners beg to acquaint you in reply that instructions shall be given to the police, and a sufficient number of police constables will be in readiness to preserve the Peace as requested.

Yours, etc.,

C. ROWAN.

The appointment by the parishes of officers and constables of the Metropolitan Police as Inspectors of Nuisances became frequent in 1835. In this connection the Marylebone Vestry passed a resolution in September and forwarded it to the Commissioners under cover of a letter from the Vestry Clerk :

That an application be made to the Commissioners of Police for the names of six or eight policemen, in order to enable the Vestry, as Commissioners of the Paving, to authorize them, as Inspectors of Nuisances, to carry out the resolutions of the Vestry for the Hackney Coach Stands in Oxford Street, and that the Commissioners be requested to send their names to the Vestry Clerk on or before Wednesday next.

The Commissioners appreciated the spirit and ignored the manner of this request, to which they replied with their usual tact and friendly dignity, on September 2 :

The Commissioners of Police beg you will in reply communicate to the Vestry that the employment of the police in the way mentioned must necessarily interfere with their other duties, to the

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prejudice of the public service generally, but if the Vestry will have the goodness to let the Commissioners know what their resolutions on the subject are, the Commissioners will be glad to give directions to the police to render all the assistance to the Parochial Officers which, as police constables, by law they are authorised to afford, for carrying into effect the wishes of the Vestry.

As the result of further correspondence, six men were put at the disposal of the Vestry, 'to act when called on'. There were instances, also, of the appointment of policemen as Relieving Officers, and as 'Distributors to the Poor under the New Poor Laws'.¹

The Commissioners gave active help during the year to the Royal Humane Society, and allowed it to keep drags at all the police stations which were in the vicinity of canals and deep ponds, and they co-operated with it also in allowing policemen to be trained in life-saving. Superintendents were instructed to receive papers from the Society for the Prevention of Cruelty to Animals 'for guidance of the police', and some unspecified services were rendered to an organization which had the formidable title of 'The Naval and Military Female Friend and Magdalen Reform Society'. Religious societies were always certain of Rowan's sympathy and support. Clergymen who reserved pews for the police were warmly commended by him. Covent Garden Division had standing orders for the attendance of police whenever they were required at Exeter Hall, and it is possible that jokes about the Metropolitan Police handing round the collection plates at religious gatherings there were founded on fact. On May 15, Rowan thanked the Secretary of the Trinitarian Bible Society for the gift of one hundred bibles for distribution to the police at the Section Houses :

The Commissioners have much pleasure in acknowledging the liberal donation of the Committee, and beg to assure them that they will do all in their power to appropriate the bibles to the best advantage according to the views of the Committee, as explained by you at your last interview.

In spite of many evidences of improvement in outlook on the part of the public, there was little mitigation in the numbers and the unexpectedness of the troubles from which the Commissioners suffered. Jealousy of the activities of the police at fires led to fierce protests and accusations against them by officials of the Fire Insurance Companies. The inefficiency of their fire-fighting organization in the eighteen-thirties was a scandal which the police revealed to the public on almost every occasion of a conflagration, and there were many instances of individual bravery, by policemen, in entering

¹ The far-reaching Act of 1834 for the planning and administration of which Edwin Chadwick was largely responsible.

burning buildings and saving life and property in the absence of the firemen. In May, the secretary of the Alliance Assurance Office wrote to the Commissioners on the subject of a recent fire, and stated :

Had the police not interfered no loss, or next to none, would have been sustained by this Company. Instead of which, from the rough and absurd manner in which goods were thrown out which ought not to have been removed at all, and windows smashed to pieces which would have otherwise remained entire, a severe loss will be sustained by the Company.

The police indeed state that they acted under the instructions of the proprietor, Mr. Shackel. This, however, he denies, and even if they had, it would not have justified or accounted for the destruction of property by the panic-struck style of their operations.

In his reply, on May 14, Mayne informed the Alliance Assurance Office of his ability to produce evidence to the effect that Mr. Shackel's premises and other buildings would have been destroyed in a very short time, but for the measures taken by the police, who prevented the spread of the fire to an adjoining timber yard ; that furniture was thrown out by private individuals, and caught by the police, until an Inspector could persuade the parties who were at fault to desist ; and that the windows were smashed by the heat of the fire, and by the firemen breaking their way through the house. Mayne remarked, also :

The Commissioners beg leave to add that in all the communications they have had with managers of the United Fire Engine Establishments and the respective Insurance Offices, they have endeavoured to meet the views of the Assurance Companies, and all the police regulations on the subject have been framed with a due regard to the interests of the Companies, and the more general services by which it was found the police could render most benefit to the public.

The duties thus devolving upon the police at such times are most arduous and responsible, and from which, with but very few exceptions, they can derive no advantage, and while the Commissioners are at all times ready to check every act of misconduct or indiscretion by any of the police, they are unwilling to allow any undeserved censure to rest upon them, which must have the effect of abating their future exertions.

Mayne proposed the holding of a public inquiry into the facts of the incident of Mr. Shackel's fire, and of the charges which the Alliance Assurance Office had made against the police. In reply, the secretary informed him of the Company's weak decision, 'that further investigation into Mr. Shackel's case will not be productive of any good'. The Commissioners used the occasion to emphasize

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the need of goodwill and co-operation, and they referred to a published report which had been issued by Mr. Braidwood, the Superintendent of the Fire Engine Establishment, in which he had made an unprovoked attack on the police. They regretted that his attitude 'must create an unpleasant feeling amongst the police, and tend to prevent that cordial co-operation between the men under his direction and the police which, for the sake of the public, and the interests of the Insurance Companies themselves, it is so highly desirable should be strictly maintained'.

Braidwood continued his attacks on the police, and on July 20 Mayne wrote to The Committee for Managing the London Fire Engine Establishment :

The Commissioners lament to find from the statements and spirit of the reports of Mr. Braidwood on these occasions that they cannot hope for that mutual good-will and cordial co-operation between the firemen and the police which it is so much to the interest of the public should exist, and which they are conscious it has at all times been the desire of the Committee and the Commissioners to promote.

Finally, the helplessness and inefficiency of the firemen on the occasion of the destruction of Millbank Penitentiary on the evening of October 7 inspired Mayne to write a detailed report of the affair for Russell. Four hundred policemen were employed at the Millbank fire, and they worked for hours in friendly co-operation with a large detachment of Coldstream Guards. The firemen opposed and nearly came to blows with both the police and the soldiers. Mayne wrote : ' I conceive it to be my duty to bring the subject before his Lordship in consequence of what has occurred on this occasion and at the fire by which the Houses of Parliament were destroyed last year ', but many months passed before the Government gave the scandal of the inefficiency of London's fire-fighting machinery the serious attention which it deserved.

The everlasting uncertainty of the legal powers of the police and the sufferings of individual policemen from lack of protection in the courts were brought clearly to the notice of the public in 1835 by the interest which was taken in the case of a policeman called William Palmer. The work done by this man in exposing evil-doers in the vicinity of his beat in Lambeth inspired a number of them to concoct a false charge against him of setting fire to various buildings in the neighbourhood. The falseness of the charge can be seen in the fact that the Grand Jury who reviewed it not only threw out the Bill at sight, but made public statement of their belief that Palmer was the victim of a conspiracy. In the meantime, he had been arrested and kept in prison for ten weeks. A subscription had been opened on his behalf, among his colleagues, for the purpose of providing him with

legal aid, and he engaged a solicitor and counsel to defend him. The Commissioners were certain of his acquittal, and equally but mistakenly confident that the Home Office would allow them to pay his expenses. When they heard about the subscription, they intimated that it would be unnecessary, and that the money which had been collected could be returned to the policemen and others who had provided it. After his release, Palmer found that the legal expenses which he had incurred amounted to £208 11s. 2d., and the Commissioners reported to the Home Office, when they asked for permission to pay this amount: 'He is somewhat cheerfully disposed to pass by the long and painful imprisonment he underwent, yet he is totally unable to bear or pay the heavy expense.' Goulburn, the Tory, was then Home Secretary, and it is an interesting fact that he excelled Melbourne in showing fear of the public. Melbourne made the task of asking him for legal aid in similar cases unpleasant, but it is unlikely that he would have definitely and finally refused it to Palmer. Goulburn replied to the Commissioners;

The Secretary of State is of opinion that it would be very undesirable to order the payment of the expenses incurred by Palmer, in defending himself against this charge, to be paid out of the Police Fund.

If the Commissioners had any belief that their difficulties during the past five years would have been eased if the Tories had been in power, it must have been shaken by this pronouncement by Goulburn. They soon found themselves in an extremely embarrassing situation, because the effect on the public was very different from what Goulburn expected it to be, and by the time public feeling had had time to manifest itself he had left office. The public were annoyed by officialdom's treatment of Palmer, whose sufferings had been due solely to the zeal which he had shown in exposing criminals in the area in which he did duty, and the Commissioners were blamed for the financial predicament in which he found himself. A petition was organized on Palmer's behalf, by public subscription, and presented to the House of Commons by the Member for Lambeth, Mr. B. Hawes. In it, the Commissioners were accused of having stopped the original subscription among the police for the purpose of paying for Palmer's defence; of breaking their own promise to pay for it; of having paid legal expenses in other cases while unreasonably refusing to do so on this occasion; and of having refused to allow Palmer permission and expenses for the purpose of prosecuting his accusers after his release. The Commissioners' error of judgement in trusting the Home Office deprived them of the power of defending themselves except by contradicting the view which Goulburn had expressed, and thereby exposing themselves to attacks, from other directions, which would have been much more serious

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than the charge of having been unfair to Palmer. Open discussion of the responsibility of the State for the legal protection of policemen and any attempt to define it in 1835 would have let loose a torrent of controversy which might have had the effect of increasing, instead of lessening, their difficulties in the courts. The outcome of the Palmer case is not recorded, but there is the draft of a letter from Phillipps, in the Home Office files, in which he mentions that Lord John Russell was 'disposed to make some allowance to the Metropolitan Police Officer, Palmer, towards the payment of expenses incurred by him'. Palmer's petition was presented to the House of Commons in May, and the date of Phillipps's draft letter is June 18, so it is probable that Russell was moved by the unexpected manner in which the public reacted to the treatment to which Palmer had been subjected.

A letter from the Commissioners to a magistrate which was written on April 23, 1835, shows that they were still suffering from the effects of Duncannon's interference with them. A policeman had been summoned and fined five shillings for leading a horse across a paved court, and they were obliged to dismiss him, in accordance with Duncannon's orders, unless the magistrate submitted his written opinion that the purposes of justice were answered without the dismissal of the guilty man. On several occasions the Commissioners had to plead for this statement in writing, but there is no evidence that it was ever refused.

The Commissioners were always inundated with demands from titled and other patrons, for the promotion of their nominees, whenever there was a vacancy in the higher ranks of the police. Rowan wrote to one of these persistent pests who had evidently questioned the seriousness of an earlier refusal to grant his request :

I find it very difficult to get people to believe that our only aim in recommending persons for promotion is the good of the public service, and that we really do not attend to other feelings or motives. This, however, is the fact. Inspector Forbes I believe to be a very good man, and the only thing that either is or will be against him is a conviction in our minds that there is any other individual in the list of Inspectors better fitted on the whole for the post of Superintendent.

We are even not at all prepared to say that we must necessarily make the best choice, all I say is that we unquestionably make the best our judgment is capable of, and that we act conscientiously.

Appreciation of the police by individuals was occasionally expressed by the forwarding of small sums of money to the Commissioners, to be used at their discretion for the relief of suffering policemen, or as awards for special services. The police were strictly forbidden to accept rewards from the public, and money received

by the Commissioners was paid to named recipients or allocated to the Private Fund. The use of a new tactic for securing promotion of a nominee was attempted in this connection, in 1835, by a royal patron of an Inspector, but it did not strain unduly the Commissioner's tact in dealing with it, in spite of the rank of the donor, who was the Duchess of Kent. She sent the Commissioners the sum of fifty pounds, 'as testifying her high satisfaction with the order preserved by the police at her parties', the reference, apparently, being to the carriages, and not to the characters and behaviour of her guests. This liberal gift from the mother of the young princess who was at that time the object of much political and patriotic interest seems to have aroused no suspicion in the mind of Mayne. In a letter to Sir John Conroy, Kensington Palace, through whom the money had been received, Mayne wrote :

The Commissioners beg to express great gratification at his communication that the police had performed their duty so as to be considered deserving of the approbation of Her Royal Highness.

When a subsequent letter arrived from Sir John Conroy, informing the Commissioners that he was authorized by Her Royal Highness the Duchess of Kent 'to renew the expression of interest Her Royal Highness takes in the promotion of Mr. McManus, Inspector of Police at Kensington', Rowan replied with unusual harshness :

The Commissioners will not fail upon all occasions, as opportunities may arise, to give the claims and services of Inspector McManus their best consideration. The situation of Superintendent caused by the death of Mr. Hickman has been filled by Inspector Mallalieu.

There is nothing in the Commissioners' correspondence which indicates the strain from which they must have been suffering as the consequence of the events of 1834 and 1835, with the exception of a curious memorandum in the files of the Home Office which records a quickly-passing effect on their outlook. They seem to have forgotten, for a moment, not only their ideal of a civilian Police Force which was raised from, and represented, the people, and upheld the tradition of conferring on these the responsibility of securing observance of the laws. They forgot, also, the efforts which they had made, so successfully, to realize this ideal. They seem to have lost faith, partially, in themselves and in their work, and to have become momentarily blind to the immense success of it which was already visible. In spite of the confidence with which they had described their handling of the recruiting problem to the Select Committee of 1833-4, Mayne sent to the Home Office on September 1, 1835, a Memorandum in which he described recruiting difficulties as being almost insurmountable, and he made the extra-

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ordinary proposal that the police should be recruited in future solely from the cavalry regiments of the regular army.

In support of this plan, Mayne stated that the number of men who had left the Police Force between the dates September 21, 1829, and September 30, 1835, was 7,493. Some of them had returned to former employment, and :

the number of these has increased, as they are better paid in consequence of the present abundance of employment. . . . Many were compelled to resign from the loss of health, occasioned by the severity of the duty, being disabled by wounds, or found physically unable to go through the duties required ; but a considerable proportion of the resignations took place in consequence of misconduct by the individuals, for which they would have been dismissed, but that some circumstances in mitigation induced the Commissioners to allow them as a favour to resign.

On the subject of dismissals Mayne wrote :

The Commissioners have forbore to exercise their power of dismissal to the extent they believed they could justify, from a conviction that, from the present sources of supply, there was little reason to expect that a superior class could be obtained . . . after the experience the Commissioners have now had, they are fully satisfied (altho' there has been at all times a numerous list of candidates) that a sufficient number of fit men for the Police Service cannot be had from the present classes of applicants.

The Memorandum continues :

The Commissioners beg to remark that the degree of intelligence, education, and bodily power required for the performance of the duties of a police constable must at all times make it extremely difficult to find so large a number of men possessing the necessary qualifications, in the classes of society from which the police are supplied ; and there are also some difficulties peculiarly affecting the police service which may be mentioned in comparing it with other occupations. From the nature of the service as at present constituted, young men cannot be admitted at so early an age as to allow of their making it their pursuit from the time at which they must begin to earn their own livelihood, and, if they possess the qualifications necessary to make them a good police constable, they have probably attained some success, in whatever line they are in, before they can enter the police, which makes them unwilling to quit it ; and from the habits usually acquired, they are become unfit to undertake a new and severe duty in a service like the police, in which a strict observance of regulations and obedience to authority must be enforced—irksome and repulsive to those unaccustomed to them. Those who have failed in some other line are likewise usually found unfit for the police. They perform their duties without zeal or effect, are unsettled, and seize the first opportunity that offers for quitting the service. . . .

Mayne asked for permission to arrange with the military authorities for 'the filling up of all vacancies with Volunteers from Cavalry Regiments', but the unjustifiable depression which inspired this request passed as quickly as it arose. The proposal does not seem to have been given more than momentary consideration either by the Commissioners themselves, after they had made it, or by the Home Office, and it is difficult to imagine how Mayne could have regarded it as a possible solution for the difficulties which he enumerated. In view of the enormous expansion of the Metropolitan Police Force which was planned and effected with enthusiasm and without difficulty by the Commissioners four years later, it is legitimate to conclude that the fears which they expressed in September 1835 were unfounded, and largely imaginary. The only other reference in the police documents to the army recruiting scheme is a short note which was attached to Mayne's Memorandum by someone in the Home Office, at a much later date, and reads as follows :

Metropolitan Police Office, 1st September 1835.

The Commissioners.

Relative to the mode of appointing men in the police.

Sent down by Mr. Maule, January 1840.

This note appears to afford an interesting instance of the frequently-experienced value of democracy's slow and hesitant method of effecting changes, and of its ability to avoid them when they are liable to be regretted. Long before 1840 the Commissioners had completely changed their attitude to the question of recruiting, and they had quickly recovered their faith in the principles and ideals which they had envisaged for their police establishment.

CHAPTER XX

1836

LIKE other Whig ministers, the new Home Secretary, Lord John Russell soon showed himself to be ready to exact the last ounce of party advantage which could be gained from the existence and powers of the police, but his attitude towards the Commissioners was not less galling and irritating than that of his predecessors had been during the five years in which the Whigs had been in power. Melbourne had always shown irritating hesitancy and uncertainty in his treatment of the Commissioners. Russell was consistently negative and obstructive in his dealings with them. He transferred to them the Horse Patrol, in accordance with the recommendations of the Select Committee of 1834, but he ignored all the other suggestions for improvement and much-needed relief which had been made by this body. One slight reform which is to his credit was the fixing of the award to be paid to policemen who were obliged to leave the Force on account of injuries which they received when on duty. Russell decreed that this should be the sum of £30, and he raised it later to £35, and finally to £40. On the other hand, he firmly refused the Commissioners' urgent requests to be allowed to wear a uniform which would enable them to be recognized officially in the streets, and he ignored the very reasonable arguments with which they pleaded for the concession. On September 3, 1836, Mayne called his attention to :

the great personal inconvenience and embarrassment they experience in the performance of their duty, on all public occasions, from not having any distinguishing dress by which they may be known as the Commissioners of the Police . . . the Commissioners find themselves unknown to many even of the police as well as to the soldiers and others on duty. They are impeded in moving about as may be necessary, sometimes unable to make their way through the crowd, and when allowed to pass the lines kept by the police and soldiers, others are encouraged to attempt to pass the lines also, and irregularity and breach of the peace is thus caused.

The Commissioners have abstained from making an earlier representation to your Lordship on the subject from an unwillingness to move in a matter apparently of personal consideration, and are now induced to do so in consequence of having, on a recent public occasion, most forcibly experienced the difficulties to which they have alluded, from which very serious evils might have arisen. . . .

The Commissioners request Your Lordship to submit to the

King this petition that His Majesty may be pleased to take the case into consideration, and grant them an official dress for all public occasions at which they are required to be present as Commissioners of Police.

The public occasion and the incidents to which Mayne referred are not detailed, but they must have been known to Russell. He does not appear to have answered Mayne's letter, but his intention is made clear by the fact that it was endorsed at the Home Office with the single word, 'Postpone'. This typical example of official Whig treatment of the Commissioners in 1836 is in striking contrast with the partiality and favours which were consistently shown to Frederick Roe who, on March 19, was given a baronetcy, for reasons which it is impossible even to imagine.

From the standpoint of police history, few events of the eighteenth-thirties are more significant than the successful passage through Parliament of the Whigs' Municipal Corporations Bill of 1835, which was effected by the efforts of Peel in supporting the Whigs and opposing the folly of the Ultra-Tories among his colleagues. The Act abolished the old municipal bodies, and created new corporations which were elected by the ratepayers in all the principal towns of England, and provided them with new, wide powers for levying rates and controlling local affairs. The new corporations were not allowed to licence public-houses or to elect or appoint magistrates, but they were empowered to create and to maintain their own Forces of police, and to administer them in each locality through a smaller body, known as The Watch Committee, which was composed of the mayor of the town and a few selected councillors.

An earlier Act had already empowered local authorities in rural areas to make arrangements on a small scale for employing men as constables and organizing small bodies of police, and the Commissioners had frequently complied with requests to provide or lend men for the purpose of advising and assisting country officials. The following petition from one of these in Hertfordshire which was received by the Home Office in September is typical of many others :

The inhabitants of Hemel Hempstead having derived much benefit from the residence of one of the Metropolitan Police, I have been requested by several of the inhabitants of Berkhamstead to request that your Lordship will be so good as to direct that a Police Officer may be sent down, they of course paying the customary salary and charges.

Another appeal, from Slough, asked for a body of the Metropolitan Police to be sent down to provide protection for the inhabitants from the large bodies of men who were engaged on the construction of the Great Western Railway, 'the parochial constables being totally unable to afford any sufficient protection'. Russell always

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showed eagerness to comply with these requests, and he encouraged the Commissioners to grant them on every occasion on which they were made. The Commissioners were equally obliging. As the result of the passing of the Municipal Corporations Bill, demands for men and for advice arrived at Scotland Yard from all parts of the country in a flood, and were welcomed by the Commissioners, who saw, in the possibility of being selected for special duty and given extra pay, a new means of providing keen and intelligent men with attractions which might lessen the difficulties of the recruiting problem. The pay of constables who were sent to the provinces was fixed at five shillings daily, with extra allowances for lodging and travelling expenses. At first, there was no divergence of opinion between Russell and the Commissioners on the desirability of fulfilling all demands for help. During 1836, appeals for the loan of officers and men of the Metropolitan Police became so numerous that the Commissioners were obliged to provide themselves with a printed form, which they sent to applicants, in order to enable them to state their requirements clearly.

Russell's willingness to use the Metropolitan Police in all parts of the country outside London contrasted curiously with his firmness in delaying reforms there, and in refusing all applications from adjoining districts for inclusion in the police area. Other Home Secretaries had made it their habit to refer these inquiries to the Commissioners, but Russell sent answers direct from the Home Office which were worded in emphatic and, often, unsympathetic language. In reply to the inhabitants of Norwood who petitioned him with the plea : ' We are in one continual state of apprehension and alarm for the safety of our persons and property,' he replied, curtly, that they could swear-in Special Constables, ' if the magistrates think fit.' On the other hand, the unquestionable interest which Russell showed in the subject of provincial police requirements led him to appoint, in 1836, a Royal Commission, consisting of Edwin Chadwick, Rowan, and W. Shaw Lefevre, to inquire into the possibilities of establishing police in the counties. The members of the Commission met at intervals and heard evidence during the three years which followed. They issued their Report in 1839,¹ but the recommendations which it contained found no favour.

The first sign of trouble which developed into a serious straining of the Commissioners' relations with Russell appears in a letter which they wrote to Chadwick on July 5. He had asked them to find men for him to act as Relieving Officers, and they told him :

If the absolute appointment to any place is in your hands ; and you are in want of a fit person, upon your telling us the salary and allowances we will do all in our power to find a person to suit

¹ *Vide infra*, pp. 253-256.

but we have now sent so many good officers to different employments in the country that we have hurt our own service. . . .

The Commissioners were not less willing than Russell was to lend or transfer their men for the purpose of police organization in the provinces, but his sustained indifference to administrative difficulties and his refusal to make provision for depletion of strength and to remove legal and other obstacles which affected efficiency led to serious unpleasantness at a later date.

In London, the Commissioners continued to face their customary daily task of meeting and overcoming expected and unexpected difficulties and problems. Although there was a noticeable improvement in the nature of the charges and criticisms which were made against the police in the later years of the first decade of their existence, unreasonable, bitter, and unscrupulous attacks on them continued to appear in the columns of the Radical Press. The bulk of the complaints against them were made on the grounds of their failure to abolish abuses and evils which were in existence long before the police were on the streets, and it was due entirely to the existence of the police, and to the revelations in the Press which were the result of their activities, that the 'respectable' and influential sections of the population were made aware of the evils which they blamed the police for not eliminating. The Commissioners repeated with dreary monotony that their legal disabilities were the sole cause of what appeared to be their inefficiency, but Russell and his ministerial colleagues were adamant in their refusal to remove them. In October, a coroner's jury at Westminster sent a petition to Russell, blaming the police for the death of a boy of fifteen who had been poisoned by drugs, and informing him that, 'the use of cantharides amongst boys who were examined at the inquest appeared to be intended for immoral purposes by administering it to girls of a tender age.' In their reply the Commissioners patiently explained that they had no legal power to interfere with children in any way which could prevent such incidents. Marylebone complained to Russell, in July, that the police ignored the existence of mad dogs. The Commissioners replied that they had no legal powers to destroy them. In a letter to the Home Office on July 20, Mayne asked urgently for these powers, and mentioned that the police had destroyed about twenty mad dogs in defiance of the law, but Russell took no action.

Public demand that the police should undertake the whole duty of extinguishing fires increased during 1836. The behaviour of the police at fires was one of their few activities which roused whole-hearted approval and appreciation on the part of the public, although frequent quarrels occurred between police and firemen, and on more than one occasion led to blows. A proposal that a fire-escape should

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be kept at each police station was the cause of a statement of their views on the subject by the Commissioners, on September 8, in a letter to the Home Office which is an excellent example both of their wisdom and of their clear vision of the ideals of police service which were always in their minds ;

With respect to Mr. Ford's petition that one of these Fire Escapes may be purchased and deposited in each of the Police Station Houses, the Commissioners have to say that if the Fire Escapes were so provided, the police would often be enabled to use them for the preservation of life, and otherwise with great advantage to the public, and the Commissioners, with the same feeling that they have hitherto been guided in rendering the police useful in any mode that can be suggested, if the Secretary of State approve of Mr. Ford's request, will do all in their power to make the most effectual arrangements for applying the services of the police in that way, but they beg leave to suggest, for the consideration of his Lordship, whether it may be advisable at present, and without ulterior measures being adopted, to charge the police with any direct interference at fires, or make them responsible for the performance of any other duties at such times, except those properly devolving on the police.

The police have on a very great number of occasions rendered the most essential services to the public by the course they have hitherto pursued at fires, and the Commissioners have ever since the commencement of the Establishment received the most abundant testimony in favour of the conduct of the men in the preservation of life and property at fires. The Commissioners are the more unwilling, therefore, to incur the responsibility of setting the police forward to undertake the performance of so important a duty, without adequate means of doing so on all occasions with credit to themselves, and with that efficiency which the public would be entitled to expect from them.

The Commissioners have also to enclose, for his Lordship's information, a copy of the regulations of the General Fire Engine Establishment formed by the voluntary union of several of the Fire Insurance Companies of the Metropolis, and likewise the orders issued to the police for their guidance at fires. They have further to state, as desired by his Lordship, that there does not exist at present in the Metropolis, any establishment properly called a Fire Police. His Lordship will observe from the orders given to the Metropolitan Police that much of the duty that would properly be performed by a Fire Police now devolves on them. The parishes still keep Fire Engines and an Engine Keeper, but they are not, the Commissioners believe, now in a really effective state for use at any great fire.

During 1836 there was little diminution in the number of policemen who were brutally attacked and often permanently injured in the streets. In appealing to Russell for assistance for one of them,

the Commissioners enclosed a statement from the police surgeon which described the man as 'permanently injured, cannot assist his family ever, but death will soon terminate his sufferings'. Russell allowed him a gift of thirty pounds. In Wray's accounts for the year 1835, the total of fines paid during that period at magistrates' courts for the offence of assaulting the police was £1,060 6s. od. There is mention in January 1836 of a coachman 'who flogged the Superintendent and three police constables without provocation', and of similar incidents which occurred at a Drawing-room at St. James's Palace. In the meantime aristocratic employers of coachmen continued to pester the Commissioners with applications for appointments and promotions. The Earl of Munster was informed that a candidate whom he recommended as a recruit of good character had already been dismissed from the police three times on account of drunkenness.

The reduction in the police-rate of one quarter of the sum which was at first paid by the parishes eased, but did not end, Wray's financial difficulties. With optimism which was wholly unjustified by later events he seems to have believed, in 1836, that Russell was about to take steps to carry out the recommendations for police reform which had been made by the Select Committee of 1834. In February 1836, Wray wrote a long letter to Phillipps in which he described at some length the tricks which were being employed by the parishes for avoiding or delaying payment, and he suggested plans for frustrating them, 'if it be in the contemplation of His Majesty's Government to amend the Metropolitan Police Act during the present Session of Parliament'. Wray stated:

... we possess no means of checking the returns of parishes which may assume any valuation they please, however low (without inconvenience to themselves), for parochial purposes, and by so doing greatly diminish the amounts payable for the police-rate.

In Lambeth a large decrease of police-rate had been effected 'by reducing the rating of that parish to the general standard of the county of Surrey'. Paddington reduced its assessment by passing a Vestry Resolution recording that this was advisable 'owing to the depreciation of property'. Large reductions were made, also, by deducting from the assessment the value of all unoccupied houses. Wray estimated that the annual loss to police finances was not less than five thousand pounds, and he made a curious charge against magistrates which he did not explain:

Magistrates in 1834 without any reference at all to our office directed all the parishes to deduct the value of their empty houses from their returns. We were thus made acquainted with a fact, which I had in vain endeavoured to discover, viz., the actual loss of income to the police by such deduction. In Middlesex alone

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the rental of the unoccupied premises in 1834 amounted to £347.383.

Wray hoped that any new legislation which the Government contemplated would include provision of powers for the police to meet these parish manoeuvres :

As a remedy for this evil, I would suggest that before any parish be allowed to alter their rental returns to the Quarter Sessions they should give due notice of their intention, either to the Commissioners or Receiver of Police, and that we should be authorized, if we thought fit, to attend or employ counsel for the purpose of examining the Overseers as to the grounds upon which such alteration was supported.

An interesting note from Wray to Phillipps which is headed, 'Brighton, 24th September', summarizes the financial position of the police establishment in 1836 in a few words :

If we were to take an exact account of everything we possess we are more than solvent, but we have not capital enough to meet the indulgences which must be given to parishes in the payment of their Warrants without placing ourselves in a situation of difficulty. I shall return to town on Wednesday, but if you think it necessary will come up on Tuesday, if you will write to me to-morrow to say so. This place is full of lawyers. The Chief Justice Tindal came from Dieppe five days since and had a miserable passage. There are Sergeants enough for a regiment.

It is possible that Russell was contemplating reforms, but these failed to mature until 1839. In the meantime, the Commissioners' struggle with difficulties at the centre of their activities did not conceal the success of the police, or prevent the fame of their achievements from spreading far beyond London. It is a significant fact, the importance of which cannot be too strongly stressed, that the ideas and ideals which these two men had conceived and were successfully putting to practical test in the London area were being copied, in 1836, not only by organizers of police Forces in the provinces, but by many others who were similarly employed overseas and in foreign countries. One after another, the colonies were applying for details of the organization of the London model, and seeking the authority of the Colonial Office to copy it, and 'to obtain from the Commissioners of Police information of organization to enable the Government to organize police on the same principle, details to include patterns of uniform'.¹ During the eighteen-thirties these details and patterns and, sometimes, an officer and some men were sent, in answer to appeals for them, to nearly all the island colonies, including Jamaica and Ceylon, and also to Canada, Australia, and

¹ From a request received from Mauritius in 1836 which is typical of many others.



JOHN WRAY, ESQ.

Sup. for the Supreme Court, and a Justice of the General Court, Wey.

the Cape of Good Hope.¹ In this way the principles and ideals of Rowan and Mayne which secured the success of the London Police Establishment and made it famous throughout the world became, also, the foundation of each separate police Force, at home and throughout the empire. Little imagination is required to realize the value of police principles to the empire. To trace and tabulate fully their beneficial effects in each individual area, and the part they have played in maintaining the *Pax Britannica*, in India and elsewhere, by countering the evil consequences of occasional error and tyranny in political administration and by securing tolerance and appreciation of British ruling methods is a task and a duty which have been too long neglected by empire historians. The individual policeman may be a 'Mounty' in Canada, a 'Bobby' in London, an Arab in Palestine, a Mussulman at Lagos, a Tamil at Madras, or a representative of any other of the hundreds of races and tribes from which the police of the empire are recruited, but the basis of his functions and duties and the first facts about them which he has to learn and understand are still the simple principles of police which were conceived, evolved, established and safe-guarded in the eighteen-thirties by Charles Rowan and Richard Mayne.

That it was the intention of the city authorities of New York to adopt the principles and model of the New Police of London is a fact which is not generally known in the United States. For reasons which cannot be traced in London, the plan failed to mature, but it is clear from the following letters that it was inspired by serious intentions :

J. ABEL SMITH, ESQ., M.P.,
Belgrave Square.

November 9, 1836.

SIR,

Mr. Under-Secretary Phillipps has forwarded to the Commissioners of Police your letter of the 5th inst. addressed to him, relative to the Rules and Regulations of the Metropolitan Police for the Mayor of the City of New York. The Commissioners will have much pleasure in seeing you or any person authorized by you on this subject, and in giving all the information and assistance in their power to forward your wishes.

Yours, etc.,

C. ROWAN.

MESSRS. MAGNIAC SMITH & Co.,
3 Lombard Street.

November 16, 1836.

GENTLEMEN,

The Commissioners of Police beg to acknowledge the receipt of your letter of the 8th inst., acquainting them that the Mayor of

¹ In India the system and its principles were first adopted for the entire country in 1861. London-model local Forces were established in 1853 in Bombay, Lucknow and Madras, and elsewhere.

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the City of New York has requested you to apply to the Commissioners for a copy of the Printed Rules and Regulations, etc., of the Metropolitan Police Force, in order that a similar Police Force may be established in New York.

The Commissioners have much pleasure in sending you herewith two copies of the General Regulations of the Metropolitan Police, to which are subjoined such orders of a general nature as it was afterwards found necessary from time to time to issue to the constables for their guidance in matters for which the original instructions had not provided, and as to their conduct generally in the performance of their duty.

At some future opportunity the Commissioners propose to remodel the whole, but having been called upon to furnish the new Municipal Corporations with such information as might be most useful to them in forming their police, it was thought better to shew, by the series of orders as circumstances arose, the mode in which the system had worked in the Metropolis.

It will be obvious that these instructions and orders give but an outline of the duties and management of the Metropolitan Police, and that they contain nothing relative to the mode of paying, clothing, etc., etc., upon which heads there are regulations in manuscript, which would require some time to copy.

The Commissioners will feel happy at any time to furnish all the information in their power, or to shew the system in detail, should it be desired, to any person sent by you from the Mayor of New York for that purpose.

Yours, etc.,

C. ROWAN.

It may be idle, but it is extremely interesting, to speculate on the subject of the consequences which might have followed the establishment in New York of a police Force based on the London model. There is little reason to suppose that it would have failed to function in accordance with the principles and ideals which secured the success of the police in London, and that it would have achieved its object of gaining the respect, approval, and confidence of the public of New York. Like the London police Force, it might have become a model for the organization of all other Forces throughout the country, and enabled the United States to share the advantages of a system of securing respect for laws which has been enjoyed by all parts of the British Empire for nearly a century. There might have been no world-famous Chicago or New York gangsters ; no startling criminal statistics ; no ' Third Degree ' ; no world-wide notoriety for what is wrongly called ' Lawlessness ', and should be called, ' Forcelessness of Law ', and no scope for Hollywood's exploitation of it, and shameless world-wide advertisement of American police inefficiency and neglect of police science. If the United States had adopted the British Police Idea in the eighteen-thirties and estab-

lished the simple principles which underlie it, Mr. Edgar Hoover, the chief of the 'G-men', would have been unable to say, in the nineteen-thirties :

Lawlessness has taken on such proportions as to startle even the imagination. As your watch ticks off the seconds, victims fall by the wayside shedding their life's blood, armed bandits roam the highways and the by-ways of America, sex-crazed degenerates prey upon virtue, foot-pads are ever at work for the invisible empire of lawlessness, confidence men fleece their victims out of savings for the rainy day—yes, every 22 seconds these criminals commit a serious crime which last year reached the total of nearly 1,500,000 major depredations such as murder, manslaughter, rape, robbery and larceny, not to mention the 14,000,000 lesser infractions, such as frauds, forgeries and the like.

Mr. Hoover said also, to officials at Scotland Yard, who modestly explained their achievements : ' But you *have* no crime ', and he told them that they were confronted with fewer problems in the course of a year than were dealt with by the New York police in the course of every month. The basic tenet of British police faith that prevalence of crime is proof of police inefficiency was not stressed to him.

It is absurd to assume that so-called ' Lawlessness ' in the United States was created by emigrants, or that it was the product of the wild life of pioneering days in the ' West ', or of the varied nationalities of the inhabitants of the towns. At the beginning of the nineteenth century Britain and America suffered mutually the lack of even the *gendarmerie* system of police which was available in European countries. Astronomical criminal statistics were a feature of the eastern sea-board of America long before the migration westwards and the flood of settlers had begun. New York and other towns are seen to be unexceptional in the numbers of criminals whom they harboured, when they are compared with similar localities in other parts of the Western Hemisphere which also lacked a system of securing law-observance. There is not, and never was, in the United States a lack of laws. Her citizens are not more criminal by nature than those of England, or Canada, or any other part of the British Commonwealth. The difference between them with regard to law lies in the fact that the people of Britain evolved, almost accidentally, a simple system of securing efficient observance of laws, and public respect for them, which has created widespread, popular understanding and appreciation of public orderliness and other individual and communal beneficial consequences of its existence, and that the people of the United States, by securing Independence, missed the advantages to the Empire which ensued from this discovery, and unwisely neglected to make use of it.

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In deploring the failure of the American police, Mr. Raymond B. Fosdick pleads in his book, *Crime in America and the Police* :

' The task of the police is further handicapped in the United States, as compared generally with Europe, by the greater volume of crime committed here. . . . We condone violence and shirk its punishment. We lack a high instinct for order. We lack a sense of the dignity of obedience to restraint which is demanded for the common good. We lack a certain respect for our own security and the terms upon which civilized communities keep the peace. . . . '

Every word of this argument could have been used with equal truth by an Englishman describing conditions in England in 1829.¹ Mr. Fosdick continues :

' It was from England that we borrowed the foundations of our criminal system. The special position of the accused, the assumption of innocence until guilt is proved, our jury system, in fact our whole attitude and point of view in regard to the man on trial are of English origin, and were handed down from generation to generation before they were carried to America. It is an inescapable conclusion, however, that the English machine works smoothly and effectively while ours does not.'

The smooth and effective working of the machine in Britain and the Dominions and throughout the Empire is due to the Nine Principles of Police ; an item of it which, so far, has not been ' borrowed ' and ' carried to America.'

¹ ' In every county throughout England crime has . . . so rapidly and fearfully increased as to shake all confidence in either public or private security.' [It is] ' without parallel in the annals of any other civilized country.' From *A Letter to the Magistrates of England*, by Sir Eardley Eardley Wilmot, 1828.

CHAPTER XXI

1837-1838

MOST of the reforms which were instituted by the Whig governments in the eighteen-thirties were dependent for their success on the smooth functioning of popular elections. The system of popular voting was widely extended throughout the country. By the end of the decade it was the means by which candidates were chosen not only for membership of Parliament, on a widely-extended scale, but also for the new corporations in the towns, for parish vestries in London, and for the Boards of Guardians which were created by the New Poor Law of 1834. The right of voting at elections was limited to various classes of ratepayers and property-owners, but the number of citizens who were entitled to exercise the privilege was enormously increased.

The smooth working of the machinery of the electoral system is an absolute necessity of the success of democratic government. Under the strain of the wide expansion of the voting system in the eighteen-thirties and the excitement and disturbances which it engendered, the organization of elections threatened to become impossible, until it was seen that the presence of police at them was a certain means of ensuring their smooth conduct and fulfilment.

There was little trouble at elections in London, and the fact was quickly noticed in the provinces. In London, the police not only ensured the peaceful conduct of elections of every kind. They helped to conduct them. For the election of Guardians, policemen delivered the voting-papers from house to house, and collected them two days later. In 1837, the smooth conduct of London elections became so clearly noticeable that a flood of appeals for the loan of police for attendance at provincial hustings reached the Commissioners and the Home Office from all parts of the country. In London, the Commissioners were accustomed to receive, after elections, the formal thanks of both parties which took part in them.

The Commissioners did their best to meet these country requests in accordance with Russell's wishes and orders that they should be granted. In July 1837 he ordered the Commissioners to send a party of police to attend an election at Huddersfield, and the story of their adventures on this occasion provides interesting evidence of the facts that the electoral system in Britain was saved by the police, and that its success is, and always has been, entirely dependent on them since the beginnings of the wide extension of the right of voting which was granted to the people in the eighteen-thirties. It was

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customary and necessary during that period to hold elections in the presence of troops. The experiment of substituting small bodies of police from London was tried in 1837, and the application of the principles of police soon led to a token of force, in the form of a single policeman at each polling booth, being all that is necessary to secure the smooth functioning of the most important part of the machinery of democratic government.

At Huddersfield in 1837 the police were not yet able to express or use the force of public approval by means of the token of their presence. The occasion illustrates the transition of the need to use and display force in its evolution from the presence of dragoons and hussars to that of the single blue coat and helmet which now fulfils the purposes of force so infinitely more effectively.

On July 3, 1837, the Commissioners sent the following letter to the worried magistrates of Huddersfield :

The Commissioners of Police beg to acquaint you, that in compliance with directions received from the Secretary of State, they have ordered Police-Sergeant George Martin and eleven police constables to proceed by this night's coach to Huddersfield, and to report themselves at the Magistrates' Office, and present this letter on their arrival there.

The pay of the sergeant is to be 5s. 6d. per day, and to each of the police constables 5s. per day ; lodgings to be provided, and coach hire from London and back ; the expense to be defrayed by the party requiring their services.

The Commissioners send twelve sabres to the Magistrates in case they should consider them necessary for the use of the police.

On July 28 Sergeant Martin sent to Superintendent May of A Division a report of what occurred at Huddersfield. It surpasses in historical interest the well-known description of elections of the period which were made famous by Dickens and other novelists :

ALBION HOTEL,
HUDDERSFIELD,
Sunday, 30th/37.

SIR,

Nothing occurred, since I wrote last, until Friday, being the day appointed for the election of a member for this Borough.

About 5 a.m., Mr. Oastler's band was parading the streets with a view of collecting a crowd, and at half-past seven there were about 3,000 persons collected in front of the Polling Booth, all of the lower order and of Mr. Oastler's party. It was thought advisable by the High Constable for us to put our cutlasses on, the mob being so excited and determined to prevent Mr. Stansfield's party from coming up to vote. On our arriving within twenty yards of the Booth, an attempt was made to obstruct us, but we succeeded in gaining it (having drawn our staves), without using any vio-

lence. A few minutes before eight a gentleman was coming up to vote for Mr. Stansfield. He was surrounded by the mob who got him down and severely injured him. On several occasions during the day, great violence was used towards Mr. Stansfield's party, some of whom were in danger of their lives. About 10 mts. to 4 p.m., as a respectable spirit merchant named Heddison was coming to vote for Mr. Stansfield, the cry was heard, 'Here is another Yellow!' He was immediately surrounded by the mob (which by this time was increased to from 20,000 to 30,000), beaten with sticks and otherwise maltreated till he became insensible and would have been killed had not I and two of the Huddersfield police been near the spot, gone to his assistance, and succeeded in rescuing him. At this time stones were flying from all quarters, which continued till the Returning Officer declared the Poll to be adjourned till the following day. Immediately afterwards an attempt was made to force a way into the Booth, but we kept them at bay until the carpenters had secured the doors and windows; the Special Constables, about eighty in number, deserting us, with the exception of five or six.

So determined were the mob to gain admission, we were compelled to draw our cutlasses, and drove them back about forty yards without using them. While the Polling Clerk escaped with the books, the whole time stones were pouring on us in clouds from all directions. Several of us were knocked down, but I fared the worst, having received a severe blow with a very large stone just below the eye, and I beg that my wife will not be informed of the particulars as I shall write to her by the same post. I am attended by a surgeon, and am doing very well, though not able to get out of bed.

About five o'clock the Riot Act was read and troops came into town. We marched round with them and took eleven prisoners who were summarily dealt with and fined from five shillings to five pounds next day. Some were bound over to keep the peace.

The fines were paid, and it is generally rumoured that Mr. Oastler paid them. The town is still in great excitement, and I have no idea when we shall return.

I have the honour, Sir,
to remain Your Obedient
Humble Servant,
GEORGE MARTIN.

This report throws some interesting light on the election methods of Richard Oastler, who has been regarded by modern historians as a moderate Radical, and called, by one of them, a 'Tory Democrat'. Oastler was the steward of the Thornhill estates near Huddersfield, and he followed the example of many other Radical leaders in harming by his folly a cause in the support of which he was unquestionably sincere. He was an ardent supporter of Lord Ashley, who became famous, later, as the Tory philanthropist, the Earl of Shaftesbury.

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Letters of thanks to the Commissioners for the services of Martin and his men were sent by the High and Deputy Constables of Huddersfield, the magistrates, and some of the inhabitants. Martin nearly lost the sight of an eye, but he refused to leave his post until peace in the town had been restored. Russell expressed his appreciation formally, in a letter which the Commissioners received from the Home Office on August 8 :

Lord John Russell has read the reports which you placed in his hands, relative to the conduct of the police at Huddersfield during the recent election for that Borough.

And Lord John Russell desires that you will make known to Sergeant Martin and the Police Constables who were acting with him, his approval of their conduct and exertions to preserve the public peace in the difficult situation in which they were placed.

About this time, there appears in the records the beginnings of what was, undoubtedly, a serious quarrel, between the Commissioners and Russell, of which there is definite, but only scanty, evidence. It is clear that the Commissioners indicated to Russell their approval of his orders for the sending of Metropolitan Police to the country, subject to his effecting some necessary changes and reforms in the organization of the establishment and, possibly, a much-needed increase of strength. Hesitation or refusal to comply on the part of Russell seems to have inspired a sudden disinclination on the part of the Commissioners to meet further demands from the provinces. In a curiously-worded letter of August 6, 1837, to the magistrates of Devizes, who had asked for police help at an election, Mayne declined to send men, and his answer seems to have been an attempt to fasten the responsibility on the Home Office :

I lost no time in communicating the contents to the Home Office that I might receive the directions of the Secretary of State. Lord John Russell not being in town, Mr. Phillipps, Under-Secretary of State, is of opinion that the Metropolitan Police cannot be sent down to Devizes on the present occasion consistently with the general regulations of the Service, or the decisions of the Secretary of State on other applications, during the present elections, for the Metropolitan Police to attend at places beyond the Metropolitan Police District. . . .

On November 24, in reply to a private request, Rowan wrote :

We shall as in other cases do all in our power to assist, but the real trouble is that I fear, without some further arrangements at the Home Office to meet the numerous instances in which we are now called upon, we shall be obliged, with a view to the efficiency of our own service, to decline.

The lack of detail regarding many interesting incidents of police history is partly due to the absence of records of conversations and

interviews which occurred between the Commissioners and various officials at the Home Office. A year later, on November 14, 1838, Mayne wrote a long letter to Fox Maule¹ which explains the grievances of the Commissioners, but gives little indication of the detail of the demands with which they seem to have been pressing Russell :

The Commissioners of Police have been called on to send so many of the Metropolitan Police to various parts of the kingdom, both for permanent and temporary employment, and the demands of this nature having of late so greatly increased, the Commissioners feel it their duty to bring the subject distinctly under Lord John Russell's consideration, both with reference to the difficulties they find in continuing to meet these demands, and as to their effects upon the Metropolitan Police Service.

The Commissioners beg to submit the enclosed returns commencing from June 1830, shortly after the completion of the Police Force, down to the present time. The Return marked A shows the entire number of men, 3,010, detached beyond the Metropolitan Police District, for temporary purposes. B shows the number, 221, sent to 136 places to aid in forming a Police Establishment in each. In the Returns C and D, for the year 1837, and the present year down to the 4th November, the places to which police were sent and the number so employed and the occasion are stated. Under this last head it is remarkable how various and general the occasions have been upon which the services of the police are now required.

The Commissioners in complying with the applications made to them for police to be sent out of the Metropolitan Police District have always been guided by the apparent necessity there seemed to exist for their aid, either from the total absence of any Civil Force, or its defective state at the places. The readiness with which the pay and all the extra expenses of the men have been paid by the parties requiring them, and the testimonies received on all such occasions as to the benefits derived from the services of the police, have induced the Commissioners to continue the same practice while they hoped they could do so without prejudice to the interests of the service entrusted to them.

In adverting on the effects on the Metropolitan Police Force of the course the Commissioners have pursued, they have now to observe that while many opportunities have been thus afforded of rewarding deserving men who obtained good appointments at different places, and that promotion in the police has also been more rapid, yet it has occasioned the loss to the Service of several of the best men of the respective ranks, and the establishment, framed for a much more limited scale of duties, has not been adapted to meet such demands. Nor do the Commissioners find, at least to the degree they anticipated, that the improved prospects by a more rapid promotion and appointments given else-

¹ Under-Secretary of State in Melbourne's ministry, 1835-41 ; afterwards Baron Panmure, and Earl of Dalhousie.

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where have induced a superior class of persons to enter the Service, in sufficient number, to supply fit men for promotion to all the vacancies that occur upon such frequent changes. Likewise, in some instances, the men employed in the country for a temporary purpose have been disabled by injuries received in the performance of their duty, or by loss of health, and were then sent away without provision of any kind, which the Commissioners find now begins to operate in preventing the men from engaging in such employment so willingly as they did formerly.

The Commissioners in concluding beg to say that for carrying on the various branches of police duty to which they have referred, and applying the services of the police Force so much beyond what was originally contemplated, new arrangements of considerable detail, and causing a great addition to the business of this office have become necessary.

This letter would seem to be reasonable and innocuous. That it was much less humble than its tone suggests is clear from the evidence of the excitement it caused at the Home Office. The returns A, B, C, and D were filed at the Home Office, and attached to them is a slip of paper containing a series of comments in various hand-writings which show, firstly, that the letter was part of a wider manœuvre to force Russell's hand in the matter of adjusting administrative difficulties, which he had consistently ignored, and, secondly, that the Commissioners felt strong enough to assert themselves for the purpose of having their difficulties removed, and that they were able to retaliate, at last, against the authors of the neglect from which they suffered. This unexpected show of strength was probably due to support in Parliament which was engendered by steadily-growing public appreciation of their efforts. The first result of their dispatch of the letter was its immediate return to them, with an order from Russell that they should withdraw it. The comments in the Home Office files are as follows :

THE COMMISSIONERS.

Enclosing lists of men detailed from the Force to various parts of the kingdom for permanent and temporary police duties. They state that this practice has been detrimental to the Force, and that new arrangements of considerable detail have become necessary. They therefore feel it their duty to bring the subject distinctly under Lord John Russell's consideration.

Mem. By Mr. Maule's desire I returned this letter to the Commissioners of Police telling them at the same time that Lord John Russell will keep the Returns they enclosed—but wishes the letter to be withdrawn as a Public Letter.

Private. This is a return you will like to see, and the Inspectors [*sic*] have sent a letter with it, which I did not expect. They will contrive to have it moved for in the House of Commons, and I do not think it would tend to the good of the Police Service to give it,

and therefore I might make them simply transmit the return and withdraw the letter, which is after all a volunteer.

J.R. They had better withdraw it. It must otherwise be reported, which is very easy. See written return.

On Return D, which is a note of the numbers of police sent to the country between January 1 and November 4, 1838, Russell has scribbled in pencil :

Only 114 constables to suppress disturbances, etc.

Total P.C. .. 647

Deduct .. 533

114

An analysis of the Commissioners' figures reveals the fact that the number of police sent to race-meetings, festivals, and other peaceful gatherings in the country during 1838 was, in fact, 533, leaving only 114 as the total number which was sent out for the purpose of dealing with disturbances. Russell's interest in this discovery suggests that he considered it a satisfactory basis for the defence of himself and his party against charges, by the Commissioners and others, that he was making every possible political use of the Metropolitan Police and, at the same time, impeding them and refusing to remedy their grievances or help them with administrative difficulties, in accordance with what had been the consistent attitude of Whig ministers since their advent to power in 1830.

On July 26, 1837, and on January 31, 1838, the Commissioners published details of the services which they had rendered in helping provincial authorities with the formation of police forces. By the latter date, 4 Superintendents,¹ 22 Inspectors, 46 sergeants, and 95 constables had been lent or transferred permanently to 111 centres in the provinces. These included the towns of Bristol, Coventry, Cardiff, Derby, Dublin, Daventry, Hertford, Hull, Liverpool, Leicester, Manchester, Newcastle, Plymouth, Rugby, Southampton, and York. On November 19, 1838, immediately after the Commissioners received the order from Russell to withdraw their letter of November 14, they replied to a request for help from Norfolk :

The Commissioners of Police beg to acknowledge the receipt of your letter of the 17th inst., and regret to acquaint you that owing to the very numerous calls which have been made upon them to send police into the country, they can no longer continue to do so without injury to the immediate duties of the Metropolitan Police

¹ The four Superintendents were Dowling, Thomas, Bishop, and McManus. They became Chiefs of Police respectively at Liverpool, Manchester, Bristol, and Hull.

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District, and they are therefore compelled, however reluctantly, to decline sending the man required at Rockland St. Andrew.

A long series of similar refusals followed, but the Commissioners seem to have suddenly changed their attitude again, a few weeks later. Appeals for help were met, subject to the early return of the men who were detailed for the duties which were required of them, and the explanation lies, probably, in the fact that, sometime during 1838, Russell allowed the Commissioners to increase the strength of the establishment by one hundred men. He made no other concessions, and he continued to give curt refusals to parishes which wished to be included in the London police area. In view of the immense police reforms which were effected a year later, it is clear that his attitude was changing, and he showed himself to be reasonable, at last, in his view of the Commissioners' appeal to be allowed to wear uniforms. On July 10, 1838, Sir Willoughby Gordon wrote, from the Horse Guards, an extremely laudatory letter to Russell regarding the activities of the police at the Coronation Review in Hyde Park, and strongly recommended that the Commissioners should be in uniform on such occasions, in view of the inconveniences which he saw them suffering, but did not specify. Four days later, Phillipps wrote to the Commissioners :

Lord John Russell, having observed on the celebration of the late Coronation that it would be for the convenience of the public, and proper also from regard to the police Force, that the Commissioners of Police should be dressed in uniform on public occasions (whenever they consider it necessary), has desired Mr. Phillipps to inform the Commissioners of Police that he is of opinion that an Uniform for the Commissioners will be advisable, and that accordingly one should be adopted.

Mayne replied on November 7 :

With reference to the letter of the 14th July from Mr. Under Secretary Phillipps. . . . The Commissioners beg to inform you that they have prepared a uniform to be worn by them on such occasions, which they request they may be allowed to submit to Lord John Russell for approval.

The uniform was not finally approved until March 27, 1839, when Russell was no longer in office as Home Secretary. A letter of that date from Mayne to Fox Maule which accompanied the submission of the pattern was endorsed : ' Approved without epaulettes.'

The injustice and blindness of the Whigs in seeing only the party political aspects and advantages of the police idea and ignoring the immense value of its possibilities to the community are emphasized by the fact that the first act of the administrators of the many reforms which the Whigs inaugurated was, very often, an appeal to the police for assistance and advice. During 1837 new measures

were passed for ensuring more effectual registration of births and deaths and for the appointment of Registrars in various localities. The Commissioners were at once asked if they could assist registration by obtaining reports of all births and deaths, and they replied expressing the willingness of the police to do 'everything not interfering with other numerous duties'. The Poor Law Commissioners constantly sought the help and advice of the police, particularly in the matter of the relief of destitution in the streets, and there were frequent complaints to Chadwick, from the Police Commissioners, regarding the inhumanity of parish authorities in refusing relief to deserving cases. On September 7, 1837, Mayne wrote to Chadwick :

The Commissioners of Police enclose for the information of the Poor Law Commissioners returns from the Divisions of the Metropolitan Police shewing, for the last three months, the numbers of persons found by the police in a state of destitution.

From these returns it appears that difficulties still occur in obtaining that immediate relief which the extreme urgency of some of the cases demand, and all plea for any relief is resisted in others, on the ground that the party should seek for it elsewhere, perhaps in a distant parish ; although in all fit cases relief appears to be administered more readily and effectually now, than before the passing of the Poor Law Amendment Act, and the whole amount of mendicancy within the police district has not increased. The Commissioners beg leave to call the attention of the Poor Law Commissioners to the points to which they have alluded, and they will be glad to receive such suggestions arising out of the present mode of administering the law as may enable the police to act more effectually in cases of destitute persons of whom they are obliged to take cognizance.

The police had no means of dealing with starving and destitute people whom they found in the streets, and Press reports show that they frequently fed these unfortunates by raising subscriptions among the men on duty at the Station Houses to which they were brought. The charity of policemen relieved them, temporarily, when starvation was their only affliction, but it was impossible for them to be kept at the Station Houses or placed in the cells, when sick or dying. When they were found to be ill, they were taken at once to the nearest workhouse, and it seems incredible that there were many bitter and strongly-worded complaints from parish officials to the Police Commissioners, regarding the interference of the police in demanding relief for the destitute without authority ; and from the Police Commissioners to the Poor Law Commissioners, regarding the attitude of Workhouse-masters in refusing admission or relief. The ' Directors of the Poor of the Parish of St. Pancras ' complained, in December 1837, ' of the conduct of the police in having taken

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the late Katherine Kerrick in a state of destitution to the Workhouse of St. Pancras without the smallest justification'.

Rowan replied, curtly, on December 12 :

If trouble or expense has been caused to the Parish of St. Pancras by this proceeding, which in a strictly legal sense it should not have been called upon to incur, the Commissioners regret it, but they cannot perceive that the Police Officers had any alternative save that of leaving a human being to perish in the streets.

Rowan dealt more thoroughly with the subject in a letter which he sent to the Clerk of the Board of Guardians at Greenwich on December 26. Other letters which appear to have been exchanged between them are missing. Rowan wrote :

The Commissioners of Police, in reference to their letter of the 12th inst. replying to yours of the 9th, have to express their regret that the Relieving Officer should have been put to inconvenience by being called up in the middle of the night to investigate cases of claims to relief, after the performance of the duties of the day, which are no doubt heavy and harrassing. . . .

The Commissioners of Police venture to submit to the Guardians . . . whether it is not at variance with the benevolent intention of the law to make enquiry in the cases of sudden and urgent necessity which they (the Commissioners) are assured are the only cases that have been brought for admission to the Workhouse at midnight. In some cases the sufferers are found in a state in which they can give no account of themselves ; in others, persons would perish before the claim to relief could be substantiated, and one intention of the provision—that the unfortunate should not die in the streets—would be defeated. The Poor Law Commissioners, it will be observed, lay great emphasis to the relief being given at once, in all such cases where the need of relief is evident. . . .

The Guardians wrote in their letter : ' that it is by no means proper that lodgings should at all times of the night be provided for persons who live by mendicity, and worthless and abandoned characters of both sexes whose conduct has brought them under the cognizance of the police.' The Commissioners quote, in reply, the Superintendent's report : ' I have taken great care to instruct the officers and men as to what I considered the difference between cases of sudden and urgent necessity, as described in the Poor Law Commissioners' letter, and cases having any affinity to mendicity.'

Believing this to have been the case, it may be observed that according to the exposition of the Law, as made by the Poor Law Commissioners, destitution, not merit, is the exclusive ground for relief ; and that individuals of the worst character who are destitute must not be refused relief and left to die on account of demerit.

Rowan concludes his letter by remarking that the annual cost to the Workhouse of giving relief to all cases which were taken there

by the police would be, at the rate of two shillings for each individual, the sum of £3 12s. 0d.

There is much variety in the causes and incidents which inspired demands for police action in the years 1837 and 1838. 'The Hon. Miss Montague' demanded, in November 1837, the suppression of the use of bells by muffin-men. Mayne replied: 'The attitude of the police has been called to the subject as far as the law authorises.' A similar reply was sent in answer to many complaints that the police did not prevent boys making slides on the pavements. To Admiral Sir Edward Codrington, who asked for police help against the evils of 'crimping houses' for sailors, Rowan replied, on November 25, 'We shall at all times be ready to do anything in our power to assist you in your humane views on their behalf'. The Registrar of Metropolitan Public Carriages suggested to the Home Office that inquiries into the characters of men applying for licences should be undertaken by the police. The Commissioners replied, on November 20, 1838, that public opinion would be very unfavourable to their doing so; that great offence would be given; and that they could not undertake the duty if it obliged them to say to the Registrar, 'this person is suitable—that not.' The Commissioners' ready sympathy with charitable and religious activities is shown in two letters which they wrote to Elizabeth Fry, on May 4, and May 8, 1838, but the outcome of their interview with her is not recorded:

The Commissioners of Police present their compliments to Mrs. Fry, and understanding from Mr. Hawes that Mrs. Fry has been good enough to allow them to enter into communication with her, relative to providing books for the use of the police, they beg to say that one of the Commissioners will call on Mrs. Fry at any time she may appoint, or they will be glad to see her whenever she may call at this office, should she prefer doing so, at any hour she names beforehand.

The interest of this letter lies in the fact that it represents the only instance, that is to be found in the records, of the Commissioners offering to call, personally, on anyone who sought, or with whom they sought, an interview. Mrs. Fry considerably declined the honour, and insisted on coming to headquarters. The second letter informed her:

The Commissioners of Police present their compliments and will be glad to receive Mrs. Fry any day most convenient to herself between the hours of 12 and 3 o'clock at Whitehall Place.

Rowan's ancestry and up-bringing, his long army experience under Wellington, his family land interest in Ireland, his keen pleasure in fishing and shooting in which he indulged on every occasion on which he was able to take a holiday, his friendship with Peel, and, lastly, his treatment by the Whigs, all lead to the expecta-

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tion that he must have been an ardent Tory both in his outlook and in his political party sympathies. In the entire record of his actions and in the expression of his views which are available in his official correspondence, it is impossible to find confirmation of this supposition. There are many indications in police history that his pursuit of his ideals of duty and service to the public left no room for any narrowness or class prejudice in his political outlook. He was on friendly terms with many moderate Radical leaders who sought his advice on public affairs and on the various reforms in which they were interested, and it is a fact that he was pestered for appointments and promotions in the police by Radicals, as well as by titled Tory and Whig aristocrats. That Rowan was among the sensible Progressives of his time is clear from the wording of the following letter which he wrote to Joseph Hume on March 26, 1838. Hume had asked for :

the opinion of the Commissioners of the alteration which has taken place in the behaviour of the Working Classes on all public occasions, and at public places, since the Commissioners have had charge of the Police of the Metropolis, and how far the Commissioners think the people are entitled to the indulgence of free admission to Westminster Abbey or St. Paul's by their late behaviour, which the Commissioners have witnessed.

Rowan replied :

The Commissioners feel persuaded that considerable improvement has taken place, within the last few years, in the conduct of the people on public occasions, and with reference to their behaviour where a more free admission has been granted to places of public resort, the Commissioners would beg to instance the Regent's Park, the Gardens of St. James's Park, where there is a large and valuable collection of aquatic birds, and the British Museum, to all of which very great numbers of all classes were admitted without detriment. To a considerable degree such would naturally be the consequence of the increased confidence shewn in the people by their free admission to these places.

The Commissioners have also observed of late years great general improvement in the conduct of the people at the several fairs in the neighbourhood of the Metropolis ; there has been comparatively little drunkenness or disorder, and every indication of good feeling evinced towards the police.

It would afford the Commissioners much gratification if this testimony, which they feel justified in bearing to the correct and orderly conduct of the people, in the instances referred to, may be found in any degree useful towards obtaining for every class of the community increased facilities of admission to public places of enjoyment and recreation.

It will be noticed that Rowan made no claim regarding the part played by the police in effecting the improvement in public behaviour

which he recorded, although this was almost wholly due to the growing success of the principles, to which he and Mayne had consistently adhered in establishing and developing the Force, in enabling one or two policemen to ensure order and good behaviour in public places, simply by the fact of their presence there. Rowan's view that the increase of good behaviour which was being manifested by the public ' would naturally be the consequence of the increased confidence shewn in the people ' may seem, to-day, to be a truism. It was a revolutionary suggestion in the eighteen-thirties, when the spread of railways was being publicly deplored and feared on account of its inevitable result in making access to the countryside available to the ' lower orders of the people '.

The sympathy which Rowan had consistently shown towards religious movements was withheld from certain street preachers of uncertain denomination who opened a fanatical war against the police, in 1838, in speech and pamphlet, as the consequence of their determined prohibition of meetings which obstructed and dislocated traffic. The Commissioners issued the following order in September :

The Police are not to allow the foot or carriage way to be obstructed, nor a nuisance to be caused by the assemblage of crowds of idle or disorderly persons, to the disturbance or annoyance of the neighbourhood. Any persons committing such offences are to be first civilly requested to move away, or put an end to the nuisance, and if they refuse to do so, then they are to be taken into custody and charged before a magistrate according to the circumstances.

The preachers replied to this order by bringing a party of children from an institution to a place where a meeting was prohibited, and then announcing, loudly and publicly, that the police were preventing the teaching of scripture to orphans. A body who called themselves ' The Friends of Civil and Religious Liberty ' petitioned the Home Office, charging the police with allowing Puppet-shows, Punch and Judy shows, Jugglers, Singers and Musicians to perform in the streets unmolested. The truth was that the police had no legal powers to interfere with either preachers or public entertainers even when they caused traffic obstruction. The petitioners asserted, also :

That it has been frequently said during police interference with Christian Teachers, ' He is a Roman Catholic ' who stops the Preacher, and it has been feared, therefore, whether in the very alarming spread of anti-Protestant tenets and the menacing outcries against the Queen's Coronation Oath to defend the Protestant Religion, and the abounding paragraphs in public journals and the warnings of the *Protestant Association*, whether some secret Jesuitism subversive of the glorious Reformation has not been mixed up with those violent, uncalled-for, unchristian and un-

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english Police Prosecutions now extending over the months of September and October, 1838.

It was decided, at first, at the Home Office, that no answer need be sent to the senders of the petition, and the word, 'nil', was scrawled on it. Second thoughts inspired the following foot-note :

Inform Mr. Wilford by my directions that the police are ordered to interfere only in cases of the obstruction of the high-way—that it does not seem to me advisable to issue any fresh instructions.

It is probable that this note was written by Russell, although accurate attribution to individuals of scribbled notes on Home Office documents is impossible. He must have been aware that the police were powerless and that he had refused, for years, the Commissioners' urgent pleas for the removal of the many legal difficulties which impaired their efficiency. He must have known, also, that the orders to the police 'to interfere only in cases of the obstruction of the highway', which he acknowledged, and for which he was consequently responsible could be carried out only in a manner which defied justice, and menaced the police, the public and himself with serious dangers. The only means by which the police could proceed against Street Preachers who obstructed traffic was to arrest them and charge them before a magistrate with committing a nuisance ; ask for a remand, and allow the accused to be released on bail ; and, later, withdraw the case, thereby inflicting on him the inconvenience of paying 2s. 6d. for recovery of bail, and 2s. 8d. for withdrawal of his recognizance. With Russell's knowledge, this was the procedure which was adopted by the police in several instances, on account of the uncertainty of their powers and of their ability to secure a decision in their favour, in view of the weakness of the laws.

Notable events of the years 1837 and 1838 were the death of King William IV and the Accession and Coronation of Queen Victoria. The police lined the streets on the occasion of the King's funeral, and they played important parts during the Coronation celebrations and festivities. The difficulty of providing police in sufficient numbers was met by the Commissioners by the enrolment of a large temporary Force of men which was formed by recruit candidates whose names were on the waiting list. In spite of their assistance, both they and their permanently-enrolled colleagues who were in the streets on Coronation Day were kept on continuous duty for thirty-six hours. The Commissioners appealed to the Home Office for permission to make an extra allowance of pay, and this was graciously granted in the form of a gift of threepence to each man, to compensate him for the severity of his labour.

On July 13, 1838, Russell agreed to allow the Metropolitan Police to undertake the policing of the House of Commons ; a duty which had previously been fulfilled by the Deputy High Constable of West-

minster with the assistance of constables who were either conscripted inhabitants of Westminster or deputies who were paid by them for attendance. On July 27, Inspector Haining and six men from C Division were detailed for permanent duty at the House of Commons.¹ The Inspector was given an extra annual allowance of £50, and the daily pay of each of the six policemen was increased by a shilling. During the same week, another party of police consisting of Inspector Steed and five men from A Division were permanently installed in Buckingham Palace as the consequence of an extraordinary revelation of the unguarded state of the Queen's apartments.

The palace was believed to be policed by two officers from Bow Street who were supposed to be in attendance there, always, when the Court was in residence. The organization of the household was under the control of many Government departments and various officials and authorities, most of whom warmly resented any interference from the others, with the result that there was no central or co-ordinating control or management. On July 16, 1838, the Hon. C. A. Murray, who was Master of the Household, sent the following letter to Russell :

Your attention has doubtless been called to the circumstance which occurred last week when an individual who was partially insane and intoxicated found his way into the Picture Gallery of the Palace, after ten o'clock at night, and was seated there when Her Majesty passed through it on retiring to Her private apartments. This occurrence has increased the anxiety, which I have felt ever since I have filled the situation which I now hold, respecting the security of Her Majesty's person from intrusion whether accidental or intentional, and as the construction of the building renders the passages, leading to the royal apartments, a thoroughfare for the various tradesmen who have business in the Palace with the Ladies in Waiting, the dressers and the Pages, as well as for the different workmen employed in the Lord Steward's and Lord Chamberlain's departments, I am sure your Lordship will agree with me that the greatest care ought to be taken to prevent the entrance of improper or suspicious characters at the exterior doors of the Palace. . . .

Murray suggested the obvious remedy, which was that a party of Metropolitan Police should be installed in the palace, their particular value being, in his opinion, their ability to summon more men quickly, when they were required. He added :

I was at the back Pimlico door for a quarter of an hour, with four or five servants holding the violent druhkard, before a sufficient number of policemen could be found to convey him to the Station.

¹ A similar arrangement was made at the House of Lords in August 1839, when an Inspector and ten men undertook police duties there.

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Not even Sir Frederick Roe's susceptibilities and influence with the Whigs could stand in the way of the granting of this request, which was forwarded to the Commissioners with instructions to confer with Murray immediately and to comply with it. To Phillipps was assigned the task of interviewing Roe and having the Bow Street men removed from the palace, and it appears to have been fulfilled efficiently. On July 22, Rowan wrote to Murray :

I yesterday spoke to Mr. Under Secretary Phillipps on the subject of the police arrangements at the Palace, and particularly upon the point which you requested I would. Mr. Phillipps immediately undertook to settle that little point of delicacy on your part, and last night I had a note to say that he had done so, and that I might send the two Inspectors to-day if desired.

Of course I shall do nothing without hearing from you, but I feel it necessary to make this communication lest you should have been left without any police, and without your knowing such to be the fact.

Inspector Steed and his men were installed in the palace on July 25, and a second Inspector was added at a later date.

CHAPTER XXII

1839

WHIG hesitancy to face the duty of removing the legal anomalies, grievances and other difficulties which beset the police could not have survived, indefinitely, in the presence of rapidly-growing public appreciation of the Service, and the increasing urgency of the need of reforms which would enable it to function more smoothly. In 1839, the Government at last introduced new police legislation. Discussion of the plans during the early months of the year produced some interesting correspondence which provides further illustration of the extraordinary meanness and parsimony by which the Whigs had allowed their attitude to police requirements to be governed. Wray, the Commissioners, the headquarter's clerks, and John Fisher, the Superintending Surgeon, all sent to the Home Office appeals for consideration on the subject of their salaries. In 1837, after the death of Venables,¹ the Receiver of the Magistrates' courts and the Bow Street patrols, Wray was saddled with all his work, but was not allowed to touch a penny of his salary of £500, in spite of the fact that it continued to be voted by Parliament each year. On February 11, 1839, Wray wrote to Russell :

When I had the honour of an interview with your Lordship relative to the salary attached by Act of Parliament to the office of Receiver of the Nine Police Offices, to which I was appointed in 1837, I then stated the grounds upon which I considered myself entitled to receive it ; in which, however, your Lordship did not then acquiesce.

I subsequently received a letter from your Lordship in which I was informed that the salaries of the Commissioners and my own would be brought under consideration at some future period. Allow me briefly to recapitulate the circumstances of my case.

I was appointed Receiver of the Metropolitan Police in 1829 with a salary of £700 a year. The duties of the office were apparently limited to the payment and receipt of money, but I soon found that this, although the most important in point of responsi-

¹ Thomas Venables was appointed Receiver of the stipendiary magistrates' offices and Bow Street patrols in 1820. Questioned by the Police Committee of 1833-4, he revealed that he was receiving £500 annually for this work ; £600 as a nominal clerk at the Home Office ; and £500 as Receiver of Tenths of the Clergy under the Governors of Queen Anne's bounty, and as Deputy Clerk of the Signet, the last two posts being sinecures given to him as rewards for work as private secretary to Sidmouth and others at an earlier period. Venables' total nett income in 1834 was £1,600. Wray's salary was only £700. The Commissioners were given £800 each, and policemen who were permanently injured on duty were allowed to die in destitution in Workhouses.

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bility, formed but a small item among the various occupations which devolved personally upon me, and which arose out of the system which it became necessary to adopt in carrying into effect the Metropolitan Police Bill. Among these, the building and repairs of Station Houses and Watch Houses, the hiring of from two to three hundred houses for the residence of the police constables, the purchase of horses, the supplies of coals and forage, besides the numerous contracts for clothing, etc., not only involve a great variety of accounts, but demand from me much personal attention.

The total amount of the annual expenditure of the Metropolitan Police is about £212,500. The accounts made up to 1838 amounting to £2,000,000 sterling have been forwarded to the Audit Office. Of these £1,500,000 have been passed (to date) after the most minute examination, with disallowance altogether less than £50, since recovered from other parties, all but *eleven farthings*.

... When I look at the changes which are contemplated in the New Bill now before Parliament, I cannot fail to perceive that great additional labour and responsibility must devolve upon me. It is proposed to alter the position of nearly all the Police Offices and to increase their numbers. The building of these as well as of numerous Station Houses will form a part of my duty. The annual expenditure is estimated at £70,000 a year, and, if the City be included in the district, a further sum of £30,000 will be required. The whole addition to my responsibility will, in that case, amount to £100,000 a year together with greatly extended duties.

Wray concluded his letter by asking to be allowed to have an increase of salary equal to the amount which had been paid annually to Venables. The case which was submitted to Russell by the clerks shows even more clearly the financial starvation to which the police service was being subjected. Wray had three clerks whose salaries were as follows :

| | |
|---------------|-----------------------|
| Chief Clerk, | £250 to £400 maximum. |
| Second Clerk, | £200 to £300 " |
| Third Clerk, | £52 to £150 " |

The Commissioners also had three professional clerks who were paid :

| | |
|--------------|-----------------------|
| Chief Clerk, | £290 to £400 maximum. |
| Second Clerk | £230 to £250 " |
| Third Clerk, | £140 to £150 " |

The Clerks demonstrated at some length that their services and duties were more important and exacting than those of clerks in similar positions in Government departments such as the Paymaster-General's Office, the Pensions Office and the Customs, where the salaries paid were :

| | |
|----------------|---------------|
| Chief Clerks, | £500 to £550. |
| Second Clerks, | £400 to £450. |
| Third Clerks, | £250 to £300. |

With the details of the Government's intentions which were expressed in the new Bills, the Commissioners had good reason to be satisfied, but an item in one of them clearly justified the indignation which Mayne took occasion to express in a letter to Fox Maule on March 7 :

MY DEAR MR. FOX MAULE,

My colleague and myself trust, as we have upon all occasions abstained from interference when the question of the amount of our salaries has been discussed or mentioned, we may in requesting permission to offer a few remarks at the present moment for Lord John Russell's consideration obtain credit when we distinctly state that in doing so we are totally uninfluenced by any desire to obtain pecuniary advantages for ourselves. We perceive that in the Bill for 'further improving the police,' etc., now on the table of the House of Commons, provision is made for increasing the salaries of the Commissioners of Police to £1,200 p.a. and by the Bill regulating the Police Courts, etc., the salary of the Chief Magistrate of Bow Street is raised to £1,400 p.a.

It thus appears, by the enactments of Bills introduced under the authority of the Secretary of State for the Home Department, after an experience of nearly ten years since the establishment of the Metropolitan Police, that the situation of Chief Magistrate of Bow Street is one of greater trust and responsibility, or of which the duties are more arduous, than those of the Commissioners of Police, a decision which the Commissioners humbly presume to submit is not borne out by the facts, and without occupying his Lordship's time by details, they will merely point out a few of the leading branches of the duties of their office.

The Commissioners are responsible for the preservation of the peace, the protection of life and property, and generally for the performance of all the duties of police in the Metropolis and an extensive surrounding district, inhabited by nearly two millions of people ; for the conduct and efficient services of 4,000 constables ; and for the economical expenditure of about £260,000 per annum. Their responsibility is continued during the whole four-and-twenty hours of each day, and for every day in the year, and in times of tumult or excitement, becomes immeasurably increased.

Without assuming to know, exactly, the duties of the Chief Magistrate of Bow Street as differing from those of any other magistrate, but as they have been stated by Sir Frederick Roe in his examination before the Committee of the House of Commons,¹

¹ Roe's evidence on this occasion throws light on the mystery of his influence with Whig ministers. It is probable that his notorious hatred and jealousy of the Commissioners and his eagerness to defame the police were regarded at the Home Office as potentially valuable assets in resisting the Commissioners' growing influence. In reply to questions, Roe said : ' My duties, in addition to those of the other magistrates, are to attend at the Home Office frequently—

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it is submitted, that the duties of a magistrate are of a regular, known amount, and of which the responsibility is not continued after the close of his business and quitting his office each day.

Whatever cause there was, formerly, for a distinction in the case of the Chief Magistrate of Bow Street from the rest of the magistrates arose, it is conceived, from his having the direction of whatever executive police was then in existence, and consequently he had other administrative duties to perform which have wholly ceased or been rendered unnecessary by the establishment of the Office of the Commissioners of Police.

The Commissioners beg leave to call to his Lordship's attention the second recommendation of the Committee of the House of Commons on Metropolitan Police Offices (1838), page 14 : *That it would tend to a more satisfactory administration of justice if Police Magistrates were called upon to execute such duties only as are of a judicial character, and if all duties of an executive nature were committed to the charge of the Metropolitan Police*, the principle of which recommendation seems to have been adopted in the two Bills now introduced by his Lordship, according to which the duties of the Chief Magistrate of Bow Street and all the other magistrates and those of the Commissioners of Police are to be regulated hereafter.

The Commissioners hope that it will not appear to Lord John Russell an improper object of ambition on their part to wish to see an office, which they have under the Secretary of State's directions been instrumental in establishing, placed by the authority of his Lordship and of Parliament in what may be considered its due comparative position, and they distinctly disclaim any personal feeling in doing so, and thus purposely omit those points which might be considered as giving the Commissioners, under whose humble exertions the Office has been established, some claim to consideration beyond those who may be their successors.

I remain,

My Dear Sir,

most faithfully yours,

RICHARD MAYNE.

I will not say daily, because I use my discretion about it ; whether I think the Secretary of State will want me—about the termination of the sitting at Bow Street. . . . I go down to see the Under-Secretary of State, or the principal Secretary of State, if occasion requires it ; the only other duty is to attend upon the King when His Majesty goes upon any State occasion, or has a State reception. . . . I see the Secretary of State if I have anything to communicate, or the Under-Secretary of State always, and he tells me whether he has any occasion to consult me or to make any communication. A variety of questions may arise, often perhaps more colloquial than strictly official . . . he, perhaps, asks me my opinion as to matters of police. . . . The communications which may take place between the Under-Secretary of State and me may be upon matters purely confidential . . . it very much depends upon what is the business immediately before him and whether he chooses to say, "What do you think of this or that ? " " *Interim Report of Select Committee appointed to enquire into the working of the Metropolitan Police Offices, 29th June, 1937.* page 19.

If the Commissioners' indignation was inspired by fears of the effects on Sir Frederick Roe of an undeserved increase of salary, it was premature. For reasons which are not recorded, but were probably partly, if not wholly, due to the discomfiture inflicted on him by the new police legislation, he retired in 1839, at the age of fifty, and was given a pension. His last recorded attempt to irritate the police occurred in February, when the two inspectors who were in charge of police duties at Buckingham Palace wrote to the Master of the Household a letter which was probably prompted by the Commissioners :

We beg most respectfully to state that since Her Majesty's return from Brighton, Gardener, the Bow Street Officer, has constantly been in attendance when Her Majesty has held Councils, or visited the Theatres, etc., which was not the case since the appointment of the Inspectors of the Metropolitan Police to attend at the Palace. We beg to be informed whether this marks any alteration in the orders we have received, that there may be no clashing in the duties to be performed by us.

Murray sent the inspectors' letter to Phillipps, and wrote to him as follows :

BUCKINGHAM PALACE,
22nd February, 1839.

MY DEAR SIR,

I beg to call your attention to the accompanying report.

I think you will find, by referring to our correspondence respecting the new arrangement adopted last year for the Protection of The Royal Person and Palace, that it was finally ruled by Lord John Russell that there should be no division or admixture of duties between the Metropolitan Police Inspectors and the officers from Bow Street, but that the former should have all the responsibility while the Sovereign is in London, and the latter while the Residence is at Windsor and Brighton.

If I am correct in this view, perhaps you will be good enough to cause the requisite communication to be made to the proper quarter, so that the duties of the respective parties may remain distinct and defined.

Believe me, Sir,

Yours very faithfully,

CH. A. MURRAY.

A few months later, the passing of the new Bills abolished the existence of the Bow Street Officers, and the Metropolitan Police were given the whole duty of protecting the Sovereign, not only in London, but also at Windsor and Brighton and elsewhere.

Dr. Fisher modestly refrained from pressing his claim for increased pay until that of all the other members of the Commissioners' staff had been met and partly granted, and his needs appear to have been

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overlooked by the framers of the new legislation. He wrote to the Home Office on November 29. His original salary of £350 was unchanged, although his duties had increased enormously. He had a staff of thirty part-time divisional surgeons under him, whom he was constantly obliged to meet for consultations, and he performed all operations which were required by members of the Force. He stated that he had examined sixty thousand candidates in the course of ten years, and that the full-time service to the police which enlargement of the establishment in the coming year would make necessary would oblige him to lose what remained of his private practice. No notice of Fisher's appeal was taken in 1839.

The legislation which embodied the new police reforms included the Rural Police Act, commonly known as 'The Permissive Act', which empowered counties to establish police Forces if such action was desired. This Act was the outcome of the Report of the Royal Commission of 1836-9, although the principal recommendation of this body to create a national rural Police Force was rejected. There was also the Metropolitan Police Act, which dealt mainly with reforms of the stipendiary magistrates' courts, and finally separated the judicial duties of magistrates from the executive duties of police, and there were several measures of local application which enabled Birmingham, Blackburn and some other towns to enjoy the right of organizing police forces which had been conferred on the boroughs by the Municipal Corporations Act of 1835. In London, the Bow Street Runners and the constables of the stipendiary courts were abolished. The Thames Police and all the duties of court police were transferred to the Metropolitan Police, and provision was made for expanding and extending, by Orders in Council, the strength of the Force and its area, for the purpose of including the many parishes on its existing boundaries which were suffering from lack of police protection. The members of the Force were given powers to act as constables in and for certain districts outside the police area, including the City of London, all navigable parts of the River Thames, and any place which was within ten miles of a royal palace. The City was not included in the police area. Many of the legal anomalies which had troubled and exasperated the police were removed or adjusted, and police powers were more clearly defined in connection with disorderly houses of all kinds; cruel sports, such as cock-fighting and bull-baiting; the supervision of licensed premises and pawn-brokers' establishment; assault cases; and the regulation of various kinds of nuisances. The annual salary of each of the Commissioners was increased to £1,200. Wray's salary was raised to £1,000. Superintendents and Inspectors were given increases of £50 and £20, respectively, and the salary of Superintendent May of A (Whitehall) Division was raised from £200 to £300. Sergeants were given an

increase of 1s. 9d. weekly, and the pay of qualified constables was raised from 19s. to 21s. weekly, at the expense of recruits, whose weekly pay on enrolment was reduced to 17s. The clerks were all given increased salaries on a sliding scale which ended the glaring discrepancies between their original incomes and those of other clerks in Government service.

A final appeal from Fisher, in February 1840, secured for him a salary of £500, which represented an increase of £150. Unconscious of its humour, someone in the Home Office endorsed Fisher's last letter with the remark: 'It occurred to me that an addition of £150 per annum would be reasonable, moderate, yet liberal.' The Home Office firmly refused an appeal from Wray to be allowed to keep a horse at Government expense.

Provision was made for the establishment of a Superannuation Fund, which was inaugurated by Wray and the Commissioners with high hopes, but it proved to be a disastrous failure, in later years, on account of the unforeseen demands which it was required to meet. Superintendents contributed 9s. 5d. monthly; Inspectors, 10d. weekly; sergeants and constables, 5d. weekly. Certain fines which were received by the police from the courts were added to the Fund, and, also, the proceeds of the sale of out-worn police clothing. The payment of pensions was permitted only to men who had completed fifteen years' service. When the Commissioners proposed generous fixed rates for the granting of gratuities to men of less than fifteen years' service who were discharged on account of injuries or illnesses, the Home Office insisted that the basis of such payments should be not more than the equivalent of one month's salary for each year of service. It is an almost incredible fact that on November 27, 1840, when the Tories had been a few months in office, and James Graham was Home Secretary, a letter from the Home Office ordered Wray to charge all gratuities to the Superannuation Fund. This outstanding act of meanness on the part of the Home Office must have played a considerable part in ruining the Pension Scheme. Official parsimony with regard to police pensions was not mitigated until 1890. Throughout the nineteenth century maintenance of the tradition of starving the police financially with regard to pay and pensions was a perpetual cause of suffering and ill-feeling, and it was almost the sole cause of the formidable nature of the strikes and other disciplinary troubles of the first quarter of the present century.

While Parliament was debating and passing the new police measures of 1839, the satisfaction which the Commissioners must have derived from its activities was rudely shaken by events which occurred in July. The failure of the Cold Bath Fields riot of 1839 had secured for the police a complete victory over the power of the Radical extremists to foment disorder in London, and it had ensured,

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for some time, the control of the movement by moderate leaders. These results were due to the success of the police in defeating the rioters in 1833, but the value of their victory was enormously enhanced by the stupidity of the propaganda by which the Radicals sought to turn their discomfiture into a triumph. In support of their wild and lying charges of police brutality and drunkenness, they had been unable to produce detailed evidence or proof of any serious injury having been suffered either by rioters or by innocent spectators. The serious casualties which were suffered by the police did not immediately inspire active public sympathy towards them, but their sacrifices and the martyrdom of Culley effectively frustrated the ulterior aims of the Radical propagandists to create a public outcry which would be loud enough, and strong enough, to force the Government to disband the police establishment.

Between the years 1833 and 1837 a variety of influences damped the efforts of the sincere and intelligent moderate Radical leaders in their promotion of measures of reform which would benefit the working-classes. The interest of the workers in Radicalism always tended to fluctuate in accordance with the intensity of their economic sufferings, and these were lessened during the period by a recovery of trade prosperity. As the result of public apathy and the tepid leadership which they had been showing, many Radical Members of Parliament lost their seats during the General Election of 1837. The New Poor Law and its administration in the provinces was a cause of serious quarrels among Radical leaders, as it was a contentious subject on which they showed themselves wholly unable to agree, and the charm and personality of the young Queen had a temporary but definite effect throughout the country in restraining the violence of demands for radical reform.

In 1838, a sudden revival of interest in Radicalism was secured by the sustained and patient efforts of William Lovett and other moderate leaders in London, and by their colleagues of the Birmingham Political Union, which under Thomas Attwood's leadership had strong middle-class support. The London National Union of the Working Classes which was founded in 1831 in support of a programme of universal suffrage had been copied in its organization, throughout the country, in the form of Working Men's Associations. On May 8, 1838, it produced the People's Charter, which comprised a demand for universal manhood suffrage, voting by ballot, payment of Members of Parliament, annual parliaments, equal electoral districts, and abolition of the property qualification which was required for membership of Parliament. The Birmingham Political Union produced a Petition, drafted on similar lines, and the immediate result was the revival of Radicalism, in the form of Chartism, as a new and uplifting force among the working-classes throughout the length and

breadth of the country, which had the effect of a religious movement in inspiring zeal and faith and willingness to make individual sacrifice to secure the good it promised.

Within a few months of its production, the Charter had become the inspiration of huge and enthusiastic mass meetings in the industrial areas at which Radical leaders addressed audiences which amounted, sometimes, to over two hundred thousand workers and their families. At first, the assemblies were conducted with orderliness, and with dignity on the part of the speakers, and the alarm which the news of them aroused elsewhere was mildly rebuked by Whig ministers, who refused to interfere with them. Soon, the inevitable fate which has destroyed and frustrated, so often, the best efforts and intentions of sincere opponents of injustice overtook the movement. The conception of the idea of the Charter and the work of composing, announcing and preaching it originated wholly with the moderate leaders of Radicalism. Within six months these were overthrown by extremists of the type of Oastler, Stephens, and Fergus O'Connor, and the folly and chicanery which seem to be the inevitable accompaniment of idealism and sincerity in all political reform movements in Britain and throughout the empire seized on Chartism like a disease.

Audiences at Chartist meetings were advised feverishly to arm themselves with pistols, swords, and daggers; to shed blood, and to face death. Whig and middle-class sympathy with the movement vanished immediately. Fierce quarrels broke out among the Radical leaders. The moderates saw that the destruction of their aims and work had become inevitable, and many of them abandoned the movement, but some of them, including Lovett, continued to support it in the vain hope of regaining control of it. A National Convention of Chartist delegates was assembled in London on February 4, 1839, with the intention of petitioning Parliament on behalf of the Charter and universal suffrage, but further quarrels and the 'feverish mouth-ing' of the extremist leaders increased national hostility towards the movement. Clear evidence began to reach the delegates of diminution of working-class support and enthusiasm in the provinces. Whig ministers inserted a sentence condemning Chartism in the Queen's Speech at the opening of Parliament on February 5. On the threat of a Tory ministry replacing that of the Whigs, the Chartist Convention moved to Birmingham, where it adjourned for some weeks, but many of the delegates and most of the moderate leaders had already disappeared from its meetings. In view of the inflammatory language which was being used by extremists, the Government were obliged to move troops to the vicinity of Chartist gatherings, and the leaders tried to synchronize the holding of these in as many widely-separated areas as possible, during the early

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summer of 1839, with a view to causing a maximum dispersal of the armed forces which were available. This manoeuvre was in accordance with the long-established aim of political extremists to defeat the power of authority by causing risings and disturbances in all the industrial areas simultaneously, and the adaptation of the idea by the extremist leaders of Chartism did not temper ministerial hostility and public alarm.

The Convention reassembled at Birmingham on July 1. The leaders expected sympathy and protection from the Whig magistrates who were in almost sole control of municipal affairs, and had no civil force at their disposal with the exception of that of a handful of local constables and about twenty street-keepers. Inflammatory speeches by the Chartists successfully roused the local population, and soon created the danger of a repetition in Birmingham of the outrages which had occurred at Bristol in 1832. The magistrates' sympathy with the Chartist movement soon gave place to alarm on account of the situation in which they found themselves, and they issued an order forbidding the holding of meetings in the Bull Ring, which the Chartists ignored. The Mayor of Birmingham, William Scholefield, and two of the magistrates appealed to the Home Office for help, and Russell at once ordered Rowan and Mayne to send a party of men to Birmingham to act as Special Constables under the orders of the magistrates.

It appears that two separate parties of London police were sent by rail to Birmingham. One of these arrived on July 4, consisting of not more than fifty men. The second party, numbering about forty men, arrived on July 5, accompanied by Superintendent May, who brought a letter to the Mayor which was written by the Commissioners on that date. The name of the officer who was in charge of the first party is not recorded; it may have been Inspector Wray, or Inspector George Martin, who had been in charge of the police at the Huddersfield election in 1837. On their arrival at Birmingham with their men on the evening of July 4, they were instructed by the magistrates to proceed at once to the Bull Ring where a prohibited meeting of about two thousand Chartists was being held. Unfortunately, the exact orders issued by the magistrates to the London police are not available. If they were ordered to clear the Bull Ring or to end the meeting by dispersing the crowd, no blame whatever attaches to them for subsequent events, although they have been frequently criticized for their actions on this occasion by historians who have made casual reference to the Birmingham riots in records of the events of the period. If the police were ordered only to proceed to the Bull Ring, and if they undertook the task of charging the crowd entirely on their own responsibility and without the sanction of the magistrates, which is extremely unlikely, they

were certainly guilty of indiscretion and of an error of judgement which made them deserving of the consequences of their unjustified confidence in themselves.

The London police were still far from having evolved perfect tactics for the handling of large crowds. They had learned the value of the use of the sudden, sharp baton charge, which had been suggested to them by Francis Place, but they were not fully aware of its limitations as a weapon, or of the fact that it could not be employed successfully except in conjunction with accurate estimate and understanding of the mass mentality and psychology of the crowd whom it was necessary to control. When the small force of fifty London policemen appeared, two abreast, at the Bull Ring, on the evening of July 4, 1839, the Birmingham citizens who filled it were incensed by the sight of the strangers, because they were Londoners. They were met with shouts of abuse and a shower of missiles. They replied, confidently, with a baton charge. It is to their credit that they fought a crowd of two thousand Chartists for threequarters of an hour, but the sad fact must be recorded that they had to be rescued, at the end of that time, by a strong body of cavalry. Inspector Martin was again cut under the eye and had a tooth broken and a shoulder injured. One policeman was stabbed in the abdomen, and another in the thigh. Several others were taken to hospital suffering from severe head and body bruises, and six were placed under medical care at their lodgings. From the Birmingham riot of July 4, 1839, and the shame of having to be rescued by the army, the police learned lessons which advanced, considerably, the evolution of their understanding of the art of riot management and of the principles which govern it in modern times.

Among ten rioters who were arrested on July 4 was a Dr. John Taylor, who was a popular idol of the people. On July 5, the Chartist Convention published the following Resolution which had been voted on and carried unanimously by the delegates :

That this Convention is of opinion that a wanton, flagrant and unjust outrage had been made upon the people of Birmingham by a blood-thirsty and unconstitutional force from London, acting under the authority of men who when out of office sanctioned and took part in the meetings of the people, and now, when they share in the public plunder, seek to keep the people in social and political degradation. That the people of Birmingham are the best judges of their own right to meet in the Bull Ring or elsewhere, have their own feelings to consult respecting the outrage given, and are the best judges of their own power and resources to obtain justice. That the summary and despotic arrest of Dr. Taylor, our respected colleague, affords another convincing proof of the absence of all justice in England, and clearly shows that there is no security for

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life, liberty or property till the people have some control over the laws they are called upon to obey.

The Whig magistrates decided that this Resolution was a 'scandalous and malicious libel', and they ordered two leaders, Lovett and Collins, to be arrested for issuing it, and to be brought before them. Lovett, 'conducted himself in a firm but respectful manner', and informed them that certain references in the Resolution were to one of them, Muntz, who had allowed himself to be chosen as a Chartist delegate and was one of the trustees of the funds of the Convention. To this embarrassing counter-accusation Muntz replied weakly, through the Mayor, that he had never acted as a delegate. The two accused were committed for trial on the evidence of their statements.

There was another riot on Monday, July 8, at the Bull Ring. The London police had been reinforced by the party of forty men who accompanied Superintendent May, and they dispersed the crowd on this occasion without requiring the aid of troops. An attempt to hold a Chartist meeting in the Town Hall on the following day was frustrated by the magistrates, and a consequent assembly of people at Holloway Head was dispersed by a detachment of the Rifle Regiment, who were relieved of the necessity of having to fire by a charge of dragoons. Sporadic disturbances occurred during the next few days, during which police and troops were not employed, because the magistrates changed their tactics by adopting a policy of appeasement towards the rioters. On the evening of Monday, July 15, a Chartist crowd at the Bull Ring showed signs of becoming disorderly :

The crowds in the Bull Ring having increased considerably about seven o'clock, the police were ordered to disperse them. Having met with resistance, they were compelled to resort to some violence, and wounded three men, one slightly and two severely. The police, in order to avoid all cause for irritation, were called into the police-office yard, out of the gaze of the people. The latter, about eight o'clock, became exceedingly tumultuous, and commenced breaking the windows of the office, and flinging stones into the yard where the police were drawn up.¹

Again, the name or names of the authorities who ordered the police to disperse the crowd and, later, to withdraw from 'the gaze of the people' are not recorded, but it is a fact that the Mayor and magistrates effected a strange and mysterious disappearance about this time, with consequences of which the *Annual Register* gives an interesting and detailed description :

At half-past eight o'clock, the rioters began breaking the windows and large lamps in High Street and Spiceall Street. At length they turned their attention to the houses themselves ; into several

¹ *Annual Register*, 1839, Chronicle, p. 109.

of which they repeatedly made attempts to force an entrance. Finding that the clubs and sticks with which they were provided were ineffective for their purpose, they rushed at the iron palisades surrounding the Nelson monument, a portion of which they wrenched from the masonry, and then returned to the work of destruction. No time elapsed before they forced in Messrs. Bourne's, tea-dealers, whose premises extend in front of the Bull Ring, in Moore Street. They then commenced pillaging the warehouses, and throwing the contents, teas, sugar, spices, etc., into the street. They next broke into Mr. Leggett's premises (upholsterer), taking out immense rolls of bed-ticking, which they spread about the Bull Ring. At a quarter past nine, the order for putting out the lights was given and obeyed by the rioters; men and boys climbing the lamp-posts for the purpose of turning off the gas. . . .

A long list and description of the shops, warehouses and other buildings which were damaged and destroyed ends with an account of the mob forcing its way into the Nelson Hotel. The story continues :

At a few minutes past nine, the cry of ' Fire ' was raised. Scarcely had the words been uttered, before the rioters carried immense heaps of the burning materials from the streets, forcing them into Messrs. Bourne's and Leggett's houses. Within a quarter of an hour the flames burst out with awful violence amidst the hellish yells of the rabble, from both houses. During all this period neither the police nor the military made their appearance. The rioters had the streets to themselves. A two-horse fire-engine drove up; but the firemen were compelled to lash their horses off, otherwise their lives would have been forfeit. The rioters were at this time busily engaged carrying fire to the other houses, especially the Nelson; but their efforts were happily unavailing. The general cry amongst the inhabitants was: ' Where are the military? Where are the magistrates? '

At a quarter to ten, sixty of the Metropolitan Police supported by a posse of Specials, under the command of Mr. Superintendent May, rushed upon the mob sword in hand. The latter immediately yielded, flying in all directions. As soon as they drove off the mob at a short distance, they judiciously retired. The dragoons under the command of Colonel Chatterton were now espied coming down Moore Street. Another squadron of dragoons at the same moment galloped down High Street; the inhabitants welcoming them with plaudits and clapping of hands. In five minutes after, about 300 of the Rifle Brigade marched down to the Bull Ring. At this period, also, the engines came back under escorts. The cavalry was all this time scouring and clearing the streets and suburbs, and the policemen were engaged bringing in prisoners.¹

There was no more trouble, for the simple reason that the magis-

¹ *Annual Register*, 1839, Chronicle, p. 109.

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trates and the Mayor had suddenly made their appearance again and issued orders to the police and the troops. These were gradually withdrawn when it was seen that the power of the mob was broken. Most of the police returned to London, in the course of the following weeks, but some remained in Birmingham until November, to assist the formation of a town Force.

A memorial signed by a large number of Birmingham residents was sent to the Home Office accusing the Mayor and the magistrates of apathy, misconduct, and incapacity. They pleaded, in a formal statement, that they had not expected disturbances on the night of July 15; that they had gone to their homes; and that they had taken every possible precaution as soon as they had realized the dangers of the situation which had followed. At their request, the Home Office held an inquiry regarding their conduct and the charges which were made against them, the result of which was published on December 20, in the form of a letter to ex-Mayor Scholefield and the magistrates from the Marquis of Normanby, who had become Home Secretary, in September, when Russell was transferred to the Colonial Office. Normanby exonerated the Birmingham authorities from blame, but he revealed the interesting fact that they had ordered the police not to act on July 15 when they were left alone at the police-office. If all their actions and occasional lack of action at Birmingham were the result of magistrates' orders, it is obvious that they were wholly undeserving of the criticism which has since been made of them. Normanby wrote to the magistrates:

GENTLEMEN,

I have the honour to inform you, that having considered the evidence adduced on the late inquiry at Birmingham into the conduct of the magistrates on the occasion of the outrages which took place on the 15th of July last, I do not perceive a sufficient ground to impute either to the Mayor or the other magistrates any wilful neglect of duty.

I am of opinion that it would have been more prudent if the magistrates, instead of ordering the police not to act in their absence, had made arrangements for the constant attendance of one at least of their body at the public office; and although the magistrates might have supposed that, by the directions left there, they had provided for immediate attendance in case of emergency, I still regret that the other course was not taken; but I see no reason whatever to charge the magistrates on this account with any wilful neglect of duty or want of zeal.

I regret that I have not been able sooner to communicate to you my opinion.

I am, gentlemen,
Your obedient servant,
NORMANBY.

In the meantime, the full power of Radical propaganda had been turned once more against the police, in the form of speeches, articles in the Press, and letters of complaint to the Home Office. In refutation of all charges of brutality against the police, the Commissioners were able to produce unassailable facts, supported by numerous letters and memorials from Birmingham citizens who wrote offering themselves as witnesses of events, the relation of which had been distorted by writers in the Press. Letters expressing warm gratitude, and praise of the police, were received from the Mayor and magistrates, Mr. R. T. Cadbury, who was Chairman of the Watch Committee, and other officials. If the supporters of the Chartist movement had concerned themselves solely with facts, instead of making wild, absurd and easily-refutable charges against the police, they might have benefited, instead of having injured, their cause. That good material was available to them for use in the presentation of their case is shown by a letter which was written to Mayne by a Birmingham citizen of the name of George Whateley, who made a curiously narrow-minded estimate of what was bad in Chartist movement symptoms. In the interest of the history of the Chartist movement, as well as of that of the police, this letter deserves quotation in full :

BIRMINGHAM,

21st July, 1839.

I understand that reports injurious to the London Police now stationed here have appeared in some of the London Papers, and I have likewise heard that complaints have been made against them by private individuals. I am therefore induced by a sense of justice to trouble you with this letter. I have seen a great deal of their behaviour ever since their first arrival in the town ; and during the late serious disturbances I observed them narrowly. I am bound to say that in every instance in which I have seen them act, they have acted with the greatest intrepidity, decision and forbearance, and that they have gained the highest character from all the peaceable inhabitants of the town.

The town is at present quiet, but the end is not yet. When the present force is lessened and the public watchfulness has a little subsided, I think it will be found that the burnings of Monday night are but a prelude to others. One of the worst symptoms is that the Rioters did not plunder even the silver plate from Mr. Horton's shop. Some of it was afterwards picked up by thieves, but the Rioters used silver cups and cream jugs only for the purpose of breaking windows.

The Birmingham riots of 1839 were obviously the work of extremist leaders who had succeeded in capturing control of the Chartist movement by intrigues and insincere oratory, and had refused the advice of their moderate colleagues to refrain from advocating the

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use of physical force for securing national acceptance of the Charter. The immediate consequence of the riots was the creation of widespread fear of the movement which finally deprived it of all prospect of success. At his trial, Lovett 'disclaimed participation with those Chartists who waged war against property, and assured the court that physical-force men were only a minority among the Chartists'.¹ He was obliged to suffer a year's imprisonment as the consequence of his having had the courage to cling to the movement and to try to save it from the extremists, after the majority of his moderate colleagues had deserted it, and him.

The Radical ministers were wisely merciful towards Chartists who were proved guilty of having rioted at Birmingham and of having made seditious speeches there and elsewhere. There were no executions, and the sentences of imprisonment which were passed were light in comparison with the terms which had been inflicted for similar offences on earlier occasions during the century. It is possible that the Whigs may have been moved to feel merciful by the unique form of provocation to which they were subjected by Chartists during the trials. A man of the name of Tillman who was charged with having 'used language calculated to incite the people to disaffection' pleaded that he and other Chartists 'were but poor, illiterate men; and they had only followed the course which the parties who were now in power had recommended the people to adopt to displace the Duke of Wellington when he held the government of the country. The very men who were now in power had advised them to get arms to carry the Reform Bill!'.² A Mr. Butterworth told a Chartist audience at Manchester: -

The Chartists of 1839 were the Whigs of 1832. The Whigs of 1832 had been more violent in their conduct than the Chartists now were, and yet the Whigs were the very men who now punished the Chartists!³

¹ *Annual Register*, 1839, Chronicle, p. 128.

² *Annual Register*, 1839, Chronicle, p. 132.

³ *ibid.*

CHAPTER XXIII

1840

ALL the high hope and promise with which the Charter had inspired the working-classes were dissipated by the extremist leaders. During the winter of 1839 the Chartist movement existed only in the form of menacing activities by small groups, in various parts of the country, who succeeded in creating more alarm than was justified by their power or by their numbers. Fears of a Chartist rising were prevalent in London during the latter half of 1839, and the attitude of the police to the menace offers one of the best proofs on record of the fairness of their outlook and their consistent freedom from political and class bias in the daily exercise of their duties. Clerkenwell Green was a favourite resort of the London Chartists, who held frequent meetings there, to the alarm and disgust of the property-owning inhabitants of the district. On the grounds that the meetings were conducted peaceably, the police firmly resisted a local demand that they should be suppressed, with the result that the Churchwardens and Overseers of Clerkenwell Parish and some of the inhabitants petitioned the Home Office, and complained that the police were refusing to do their duty. Superintendent Maisey of G Division had reported that the meetings were harmless, and that he thought that he would be unwise if he interfered with them, and the Commissioners informed the Home Office, on December 9, in reply to the petition, that no breach of the peace had occurred at any of the meetings, and that there seemed to be no necessity to suppress them. The *Annual Register* reported one of these meetings as having been attended by an audience of from three to four thousand Chartists.

During November 1839 the 'physical-force' exponents of Chartism succeeded in staging a remarkable and tragic attempt at a rising in Monmouthshire, and it had the misfortune to be led, not by egoistical intriguers of the type of Fergus O'Connor, but by a handful of sincere idealists who were the dupes of extremists in the background. A popular Chartist called Henry Vincent was in prison at Monmouth, and another sincere leader, John Frost, who had been a magistrate and Mayor of Monmouth, made the surprising mistake of rousing the colliers and iron-workers of Monmouthshire to attempt a rescue by force. Columns of men from the surrounding villages collected by night on Sunday, November 3, but were delayed by rain, and did not reach Newport until nine o'clock on the following morning. They attempted to break into the Westgate Arms, where

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the magistrates were stationed with troops, and these fired volleys into the attackers at close range and decisively defeated them. Frost was arrested, and found to have three pistols and ammunition on his person. A Special Commission was appointed to try him and twenty-eight other Chartists on December 31. Death sentences and executions seemed inevitable, and the effect of the news on the working-classes throughout the country was the rousing of a wave of intense sympathy with the victims, and widespread, reawakened faith and interest in the movement.

By the middle of January 1840, London was aflame with wild rumours of a Chartist rising. The Lord Mayor and other officials and authorities received alarming letters, prophesying and threatening destruction on the night of January 16, to the accompaniment of the cutting off of gas supplies, and the burning and sacking of the City. The Commissioners received information that a meeting of armed Chartists was planned for the evening of January 14, at the Trades Hall, and that it would be followed by a rising in London which would be a signal for a general rising throughout the country.

It is an unquestionable fact that Chartist extremists planned a serious rising in London which it was their intention to inaugurate between the 14th and 16th of January 1840. The true explanation of its failure is not generally known to historians of the period. On the evening of January 14 a hundred policemen surrounded the Trades Hall, Bethnal Green, and searched everyone whom they found there. Two hundred and fifty police were held in reserve. Among the eight hundred Chartists who were present at the meeting, about one hundred and fifty were found to be armed, and they were detained. Some of them were released, later, and others were brought before a magistrate, and committed for trial. These simple measures ended, for some years, all Chartist hope of a successful rising in London, and they ended, also, every prospect of risings in the provinces. The interest of the record lies in the fact that the Chartist extremists were overawed, less by the might of the London police which had been so unobtrusively exhibited, than by a remarkable series of circumstances which destroyed the last vestiges of the leaders' trust and confidence in one another.

The true story of the failure of the Chartist plans in London in January 1840 is as follows : A leader of the name of Joseph Goulding, who was a man of exceptionally unpleasant character and as sordid a traitor as ever betrayed a cause, wrote to the Home Office offering to disclose the Chartist plans. The Home Office referred him to the Commissioners, who refused to have direct dealings with him, but put him in touch with Superintendent Pierce of H Division and, later, with a solicitor of the name of Francis Hobler, who was one of several members of his profession whom the Commissioners

employed occasionally for court work, when they were allowed by the Home Office to do so. The information which Goulding supplied led to the successful handling by the police of the Chartist meeting on January 14. He gave Hobler the additional information that the legal advisers who were employed for the defence of the Chartists who were arrested at the meeting had compiled a memorandum of false evidence, which all the witnesses for the defence were to be made to learn by heart, in order to avoid contradicting one another in court, and he told Hobler the whereabouts of this document.

Hobler was a man of keen energy and ambition. He had hopes of securing for himself not only all the Commissioners' legal work, but, also, the appointment of himself as 'Crown Solicitor to the Metropolitan Police', a post which he was unwisely confident he could persuade the Home Office to create. He was employed by the Commissioners in prosecuting the Chartists who were arrested on January 14. Without informing either the Commissioners or the Home Office, he planned a dramatic court exhibition of his abilities. He engaged a man called Henry Harris to purloin the Chartist document, and in doing so Harris was caught red-handed, delivered to a policeman, and brought before a magistrate.

Hobler faced this embarrassing emergency by securing Harris's release on bail, through the medium of two professional bailees who were provided with the necessary funds. He then shipped Harris off to Australia, paying his passage-money, providing him with funds for his maintenance on arrival, and sacrificing the bail which had been deposited on his behalf. The personal loss which Hobler suffered as the result of these transactions amounted to £1,150, and the Home Office firmly refused to pay a penny of it. Goulding was treated with similar, but more deserved, lack of gratitude.

The documents which record these incidents are of unusual interest, both historically and as revelations of personality. Goulding wrote the following undated letter to the Home Office in the spring of 1840:

TO THE MOST NOBLE THE MARQUIS OF NORMANBY.
MY LORD,

Having directed my attention for some time past to Politics, and having been a member of the Working Men's Association where the Charter originated, I became an advocate of its principles, and eventually one of the Chartist leaders, which as a natural sequence brought me in contact with men of all grades professing Chartist principles, and, from the locality of my residence, with men of the violent or Physical Force Party, with whom, altho' different in opinion, I were in connexion, until their madness gained that height that I perceived they were likely to become dangerous to the Peace and Safety of the Metropolis, and as I had never been guilty of any infraction of the Law, but, on the

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contrary, had always at all meetings where I presided, and they were many, caused the Law to be strictly obeyed, and which Mr. Whitair, Superintendent of the City Police, can testify, he having had good opportunity of observing my conduct when it was in my power to have acted against the Law.

I determined to make the Government acquainted with the intentions of the Chartists, and I accordingly addressed a letter to your Lordship on the 11th of January, which met with attention, but from some cause unknown to myself the correspondence was broken for a few days, but which was, however, renewed with the Hon. the Commissioners of Police through the medium of Mr. Pierce, Superintendent of Police in the H Division. After some correspondence I were put in communication with Mr. Hobler, their solicitor, and having afterwards ascertained the course of proceedings then being adopted by the Solicitor for the Defence of the Chartists arrested on the 16th of January at the Trades Hall, Albany Street, Bethnal Green, Mr. Hobler and the Commissioners were informed, and it being considered desirable to know what falsification of evidence their witnesses would depose, it was arranged with Mr. Hobler and myself, although it would incur considerable risk of a Prosecution, that the papers should be procured, and which was done, and the man who was employed was actually taken into custody and brought before a magistrate, who held him to bail for trial.

The principal Chartist Speaker was not however in custody. His name is Boggis. He was the person who had made an inflammatory and seditious speech calling upon the People to shed their blood to purchase their Freedom, and which tended to considerable excitement amongst the persons assembled at the meeting of 14th of January. He had kept out of the way and not been able to be arrested for want of some person to identify him, and to depose to the facts. This I undertook to do, tho' at imminent danger to myself. I made the necessary depositions before Mr. Hall of Bow Street Police Office, upon which a Warrant was granted, and on last Thursday, the 19th ult., I caused him to be taken into custody, in which he is at the present time. In doing which, however, he recognized me, and it in consequence became well known to the Chartists the part I have taken against them in destroying the Physical Force Movement, and which has also the effect of preventing me rendering any further services to the Government.

I must now beg leave, My Lord, to draw your attention to the results of the part I have taken. Previous to my communicating with the Government, the Metropolis was in a state of great alarm and agitation, unprecedented of late years. The Chartists of the Metropolis were making great preparations to second the efforts of the Chartists in the country by raising insurrections and riots in London.

Through being in full possession of their confidence, I was enabled to make such disclosures to the Government as to entirely

upset all their plans. I need only refer you to their present condition and the quiet state of the Metropolis to show fully the effect of my services. Confidence among Chartists is entirely destroyed, and they are in an entirely paralysed state of disorganization, thro' finding that one who had such influence with them, and in whom they placed the greatest confidence, and who was well acquainted with all their plans, has deserted them, and gone to the Government.

The effects have been that the Metropolis which but two months previous was in a dreadful state of alarm and danger is now restored to Peace and Tranquillity not likely to be disturbed for years. The contagion has spread into the country, and it may be safely said that Chartism is no more. And, My Lord, I can confidently say that I have been not a little the humble instrument of this result.

Yet, My Lord, although Chartism is defunct, the men still exist, and they will never forget the man who has contributed to their downfall, and will wreck their vengeance on his head if he is allowed to remain within their reach, and, My Lord, I know the men too well not to be aware that in whatever place in this country I may go, that in spite of all the protection afforded me by the Authorities, I should be hunted down and prevented from gaining a livelihood, and poverty and destitution would be the result.

Having, therefore, My Lord, affected so much for the Government and the Country, I am confident that your Lordship will not suffer me to remain in jeopardy, but, My Lord, it is not for myself alone that I ask your protection, but for a wife and child, who must equally share the sufferings I might have to endure from saving my country from insurrection and consequent misery. For myself I care not. I have only performed a Duty to my Sovereign and my country which would become every honest man, but I am sure that you will not, cannot, allow a wife and child, which are held dear to me by every tie of nature, to suffer want and misery, which would be the case were I to remain in this country.

I therefore hope your Lordship will not think me asking too much in requesting a Free Passage to New South Wales for myself, wife and child—with £300, one half for necessary expenses in this country, and the remainder to be paid to me on my arrival in the colony, to enable me to provide for my future subsistence; a sum of money which is as nothing to the Government, but which is of great importance to myself.

In conclusion, My Lord, allow me to draw your attention to my character and station in Society. I am not one of the common class of men composing the body of the Chartists, but have been brought up in a different sphere of life, having received a liberal education. My father who has been dead some years (and one of whose cards I beg to enclose) was a respectable tradesman.¹ I have been in the employ of Mr. Davies of Gracechurch Street during the past five years up to the present time, who can testify

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to my honesty and sober good conduct while in his employ, and, My Lord, for an account of the services I have rendered I beg leave respectfully to refer you to the Hon. the Commissioners of Police, to Mr. Hobler, their solicitor, and to Superintendent Pierce of the H Division of Police.

I have the honour to remain, My Lord,

Your Lordship's most obedient and humble servant,

JOSEPH GOULDING.

To suggest to a Whig Home Secretary in 1840 that three hundred pounds were 'a sum of money which is as nothing to the Government' was a singularly tactless form of approach, but some of the arguments which Hobler used in seeking recovery of his financial losses eclipsed those of Goulding in the certainty of their effect in tightening Home Office purse-strings. In a letter of July 20 which he addressed to Normanby, he wrote :

... It occurred to me that the best means of shielding the man and preventing an investigation wherein vindictive and prejudicial observations would be made by the enemies of the present Government was to send him abroad. . . .

I have therefore, My Lord, in what I considered to be my duty in the course in which I was employed, expended a considerable sum of money, and as the Chartists are now, happily for the peace of this country and the credit of Her Majesty's Government, become broken up, and their intended plans and operations entirely frustrated and destroyed, and their existence as an association annihilated, I will confidently trust that your Lordship will entertain my respectful application for a reimbursement of my outlay, under such strong circumstances, from the Secret Service Fund voted by Parliament, and I further submit the matter here related to fall within the meaning of that fund, it having been occasioned solely for the benefit of the Government.

Although, My Lord, hypercritically, and in ordinary cases, the endeavour to obtain the Document might have been considered sharp practice, yet the object being the attainment of Truth and to show the iniquitous defence the Chartists intended to make, the Act, morally speaking, is justifiable, and I assert with confidence to your Lordship that it caused such distrust among them that they became alarmed and lost confidence in themselves, which tended in a great measure to break up the Confederacy.

Hobler's letter carries two unsigned, pencilled endorsements :

1. Inform Mr. Hobler I wish to see him upon the subject of this letter.
2. I have informed Mr. Hobler that nothing can be done upon this and he was satisfied.

Hobler's subsequent correspondence offers no grounds for the justness of this assumption. On August 19 he made another appeal

¹ Goulding (senior) was a Foot and Shoe Maker of 41 Great Russell Street, Bloomsbury.

to the Home Office for reimbursement of his losses, and was coldly recommended 'to memorialize the Lords of the Treasury'. He made one more effort on October 31, in the form of a long letter to Phillipps which was accompanied by a Memorial. Not being content, like Goulding was, with disparaging the value of money to a Home Secretary, Hobler was courageous enough to preach on the subject of the advantages which accrued to governments whose ministers exercised liberality in the spending of it :

... it is I am quite sure inconsistent with the views, wishes and intentions of the Members of Her Majesty's Government that the assistance of a humble individual like myself especially attended with success should be left without remuneration, or that his outlay in a case of great peril should not be returned to him. Government does not require these sacrifices from private individuals, and it is by liberality that Government strengthens its hands, and secures for the future occasion the determined zeal and activity of individuals.

I feel very confident that if you will condescend to do me the favour to consider this case, a means will present itself to your mind whereby the money I have so expended in the public service may be returned to me.

The Memorial which accompanied this letter gives the story of Hobler's activities among the Chartists in his own words :

TO THE MOST NOBLE THE MARQUIS OF NORMANBY, Her Majesty's Secretary of State for the Home Department,

The Memorial of Francis Hobler of No. 26 Bucklersbury in the City of London Solicitor
Humbly Sheweth

That in the month of January last your Memorialist was professionally employed by the Commissioners of Police under the sanction of the Home Office to prosecute certain persons denominated Chartists for treasonable conspiracies and meetings. That your Memorialist was told by the Commissioners that the Agency of the Police was not to be seen or used in any enquiries or secret information that your Memorialist might require or search into. That your Memorialist learning the mischievous proceedings and tendencies of the Chartist Societies in the Metropolis felt it to be an imperative duty on him to do his utmost endeavour to disunite the compact and confederacy which these disloyal subjects had bound themselves to for the purpose of undermining the constitution of this realm.

That having ascertained from those who were in the confidence of these persons that a written, garbled and false statement had been concocted and sent in writing to various individuals to depose and swear to on the trials of those Chartists which were then about to take place, and that there were private and verbal directions to each person who had such written statement delivered to him to learn it by heart, and then destroy the written document, your

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Memorialist considered it would be of infinite service, and effect the wishes of the Government to suppress the rebellious designs of these offenders, to obtain possession of such written statement, which would enable him to defeat the iniquitous defence, and prosecute the parties for subornation of perjury, if it should be deemed necessary.

That a person named Henry Harris exerted himself to obtain the Document and succeeded, but from the active exertions of the parties interested in its concealment he was detected and given in charge to a Police Constable, taken before a Magistrate, and ultimately held to bail by recognizance, himself in £50, and two sureties of £25 each.

That as this individual was brought into trouble by the part he had taken, your Memorialist felt bound to give him all the assistance possible, and he was bailed by two persons who were indemnified. And the man afterwards becoming alarmed for his personal safety and unwilling to stand his trial, your Memorialist felt it expedient otherwise to provide for his safety, and the man eventually left England with his family, and he did not appear pursuant to the recognizance which became entreated, and the amount thereof has since been paid to the officers of the Sheriffs of London and Middlesex, in whose hands warrants were placed to levy the same.

That from the steps taken by your Memorialist which were necessarily of an extraordinary nature, although such as would not be usually resorted to for suppressing the designs of the members of so powerful and dangerous a society, they had the effect, which your Memorialist had calculated and desired, by producing such a want of confidence and division among the Chartists, shewing them that their designs were known, and thus caused a separation of their interests, since when there have not been any public meetings of these persons in the district where they used to assemble, and the inhabitants of that district can once more sleep in their beds without fear of having their houses fired in the dead of night.

Your Memorialist in the performance of his professional duties has incurred very heavy expenses amounting in the whole actual expenditure by him to the sum of £1,150. And as your Memorialist feels confident that it is inconsistent with the liberal views and intentions of the Members of Her Majesty's Government that the outlay of personal means by a private individual in the service of the country at a time of threatened internal danger should be wholly lost to him and his family, he humbly hopes that your Lordship will see that the services he has thus rendered are deserving of some notice, and will be pleased to direct him a return of that outlay.

And your Memorialist will ever feel grateful for the favour thus conferred upon him.

There is no record of Hobler being given compensation for his

losses, or of awards for services rendered being paid either to him or Goulding either by the Whigs or by the Tories. The police were certainly beneficiaries by the activities of the two men, but there is ample evidence that the Commissioners' growing confidence in themselves and in the success of their principles enabled them to confine their handling of the Chartist menace to methods which were just and unconcealed. The Chartists were not alone in causing public alarm in 1840. A new manifestation of what were called 'subversive elements' was the growing strength of the new Socialist Movement. In February, alarming accounts of Socialist meetings at the Assembly Rooms, Westminster Road, were received by the Home Office and forwarded to Scotland Yard. The Commissioners showed the absurdity of the fears which had been expressed by submitting, in reply, the terse and unbiased report of meetings at Westminster Road which had been written by a policeman who had attended them :

A Mr. Aunant took the chair, and stated that they met for the purpose of enquiring into and explaining the principles of Socialism in consequence of the Bishop of Exeter having denounced and vilified the same in a speech in the House of Lords which he (Mr. Aunant) said he would not have done if he had been acquainted with its true principles. After some explanation of Socialism, the Chairman proposed that a petition be presented to the House of Commons praying that the House would institute an enquiry into the principles of Socialism.

The Rev. Mr. Corfu addressed the meeting stating that the principles of Socialism were morally bad and not calculated to benefit the public, or its advocates or members. That inasmuch as it would tend to impair the most sacred institutions of the country it would be injurious, and was highly objectionable.

Mr. Huggett, a Chartist and speaker at the meetings which have been held in Hatfield Place, Westminster Road, mounted a form in the body of the room and made a violent speech against the Bishops who were feasting on the loaves and fishes and were clothed in ermine and gold, and said that they had not the good of the people at heart, neither did they sympathise with them.

He then commented upon the Rev. Mr. Corfu's address, and stigmatised his order and profession. He concluded by seconding the resolution which was put and carried, and the meeting broke up at $\frac{1}{2}$ past 10. There were about 150 persons present.

A lecture on Socialism was delivered at the above-mentioned place last night by a Mr. Simpkin, a school-master of Lambeth, and in the course of the same he stated that the Bishop of Exeter had thought proper to make some severe remarks (against the principles of Socialism) which were not founded in truth, as he could shew that Socialism was based upon principles of order, friendship and general happiness, and would tend to the preserva-

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tion of life and property, and was opposed to all violence or anything subversive of the laws or sacred institutions of the country.

There were about 70 persons present, and the meeting broke up at $\frac{1}{2}$ pt. 9.

These rooms have been taken by the Socialists for 3 years, 13 months of which period has expired.

It appears that there are about 50 branch establishments where the principles of Socialism are advocated and propagated, and this is called the 45th, and meetings are held three times a week, viz., Sundays, Mondays and Thursdays—2d. is charged for admission.

It is clear from the wording of Chartist accusations against the police of 'espionage' at meetings that the use of the word was inaccurate. Many meetings were held in London for the purpose of rousing public sympathy with appeals to the Government to pardon Frost and the other Monmouthshire rioters. A Committee who organized a series of gatherings at the Arundel Coffee House addressed several complaints to Normanby regarding the presence of police on these occasions. The following extracts from the letters show the methods which the police employed to obtain information regarding activities which they were obliged to supervise :

April 4, 1840.

We desire to inform your Lordship that on Tuesday evening, March 10th, two policemen in private clothes entered the Committee Room as spies upon our proceedings, but on being requested to furnish the Secretary with their names and addresses, as had been done by every other person present, they refused, and on persisting in such refusal were requested by the Chairman to withdraw, which they accordingly did.

On Tuesday, March 14, the same policemen attended in uniform, and requested permission to be present as witnesses of our proceedings, and in reply to a question stated that they were acting by direction of superior authority. On this occasion the Chairman took the sense of the Committee which unanimously determined that they should be permitted to remain present for the evening, and they accordingly remained present until the business of the Committee was concluded.

Conscious, My Lord, that our object is just and strictly legal, we have no desire for concealment, and we shall feel pleasure in furnishing your Lordship with a full account of all our proceedings if it be desired, but Espionage is opposed to our ideas of English liberty, is abhorrent to our feelings, and we trust your Lordship will not permit us further to be annoyed by it.

A request from the Committee to Normanby to receive a deputation on the subject of the police was refused, and this fact and the wording of a subsequent letter which was sent to the Home Office on April 21 suggest that the Commissioners were acting under the

orders of the Government, and that the principal object of the police was the discovery of arms :

The police have again obtruded themselves on our meeting, and having requested to know if we had any objection to their being present, the following resolution was unanimously adopted :

Resolved,

That the Committee has a decided objection to the presence of policemen in the room during their occupation of it.

The policemen then withdrew, and the Committee afterwards unanimously agreed to the following resolution to be signed by each individual member :

Resolved,

That this Committee feeling apprehension in consequence of the repeated intrusion of policemen upon its meetings that unfair means will be resorted to for the purpose of making them appear to be illegal do instruct the Chairman strictly to admonish all its members not to have about their persons anything that may be construed to be an offensive weapon ; and, if any person shall after such admonition be found to possess such, he shall be immediately expelled from the Committee.

It is certain that the Chartists would have been eager to make more serious charges against the police if there had been any evidence available that they were employing methods which would have roused the hostility of the public.

On January 3, 1840, the enlarged Metropolitan Police District was constituted and defined by an Order in Council, and the Commissioners set themselves the task of organizing the inclusion in their area of a hundred and fifty-four additional parishes, and increasing the strength of the Force by five hundred and ninety men, at a cost of £44,131. The new enlarged district covered an area which extended, roughly, fifteen miles from Charing Cross, in all directions, but it did not include the City. The Commissioners wisely decided not to alter the existing organization, but to extend the areas of the Divisions which were on the existing boundary line. This plan increased, enormously, the areas of the outer Divisions, and the difficulty of ensuring their adequate supervision was met by the appointment of a new senior officer, with the title of Assistant Commissioner, whose duties included the general supervision of the enlarged Divisions, and he acted as a link between the Superintendents of these and the Commissioners. The post was given to Captain William Hay, a soldier who had seen service in the Peninsula and at Waterloo.

The Acts of 1839 consolidated the patient work of the Commissioners, and established the police institution on a basis which was a firm foundation for the further perfecting of its organization.

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In 1839 it ceased being an experiment, and became an accepted and appreciated part of the machinery of representative government and of the rapidly-developing social life of the community. The miracle which the police had effected during the ten years of their existence was visible not only in public orderliness in the streets, but in the fact of the approval and appreciation with which they were regarded by all but the criminal classes of the community and a few political extremists. In 1829, the hand of everyone was against them ; they were feared, maligned, and hated, and in constant danger of being disbanded. In 1839, the visible value of what they had effected would have made even the suggestion that they should be disbanded a palpable absurdity. No brief attempt to estimate the success and efficiency of the police at the end of the first ten years of their existence could surpass in critical and historical value a tribute paid to them by a retired Anglo-Indian, whose experiences on the Twickenham bench moved him to write to Lord Normanby on November 27, 1840 :

MY LORD,

Having lately been charged with the magisterial duties of this extensive parish, I have had a near opportunity of observing the Police System recently introduced amongst us. With that system I have indeed, my Lord, been in daily relation since its first establishment, and though there certainly is, in the 2 and 3 Vic., cap. 47, a *tendency* to vexatious interference, on trifling occasions, yet, as it is the duty of the magistrates to confine this disposition within salutary limits, and with vigilance and firmness, and as it is in their power to do so, I do not hesitate to say that it is an excellent system in all its parts—in its simple but complete mechanism, its lenient operation, and its perfect efficiency. I am perhaps the more sensible of these advantages, because I recollect the time when we had no such protection ; when our dwellings were insecure ; when our public roads were unsafe after dusk, and the more retired intersections at all times ; till, at length, the general demoralization of the parish became injurious to its reputation and prosperity.

Still, my Lord, though relieved from the extreme disruption, we have much wretchedness amongst us, the result of a population extended and daily extending beyond the ready means of support by industrious occupation. But, at last, this suffering is no longer increased by the miseries of dissoluteness or by open infractions of the Law. Instead of twenty cases of robbery of market gardens in a morning we have rarely one ; and for many weeks I have not had an instance of domestic disorder in which I have not been able by the pacific intervention of the police officers to restore harmony without a warrant or a summons ; the Poor thus deriving as much protection from the police as the more affluent classes.

Returned to pass, on the scene of my earliest days, the evening of a long and active life, partly spent in a similar but more extensive charge under the supreme Government of India, I see this improvement with infinite satisfaction, and with a desire to promote it by every means in my power, even at the expense of the relaxation I had hoped to enjoy.

I remain, My Lord,

Your Lordship's most obedient servant,

THOMAS TWINING.

PART THREE

THE FUTURE OF THE POLICE IDEA

CHAPTER XXIV

In the National Sphere

FROM the year 1840 onwards the history of British Police is no longer that of the Metropolitan Police Force of London. The path of police history branches in the form of the records of the struggles and achievements of the borough, county, and empire Police Forces. To provide in these pages a detailed account of the growth and evolution of the various Forces including the later history of the Metropolitan Police would involve an undue and unnecessary lengthening of the task of recording the history and achievements of the British Police and British Police Principles, which is the chief object with which this study has been undertaken.

The legislation of 1839 relieved the Commissioners of the greater part of the burden of their difficulties. For police services, Rowan was advanced from the honour of C.B., for military service, which he already held, to K.C.B., in 1848, and Mayne received the Companionship honour. Rowan retired in 1850, and died, two years later, on May 8, 1852. Mayne received the honour of K.C.B. in 1851, at the close of the Great Exhibition. On Rowan's retirement, William Hay was promoted to the rank of Commissioner. An understanding that he was to be junior in status to Mayne was left unconfirmed, characteristically, by the Home Office authorities of the period, with the result that there was friction between the two men which was ended, suddenly, by Hay's death in 1855. Mayne continued in sole charge of the Metropolitan Police until his death on December 26, 1868, at the age of seventy-two. The last official letter which he appears to have written is dated at his home a few days before his death, and is an acknowledgment of documents sent to him from Scotland Yard for his attention and signature. Wray retired in 1860 and died in 1869. Fisher died in 1876. He was Surgeon-in-Chief of the Metropolitan Police for forty-four years, and received a knighthood.

Between 1835 and 1856, in accordance with the privileges offered by the Municipal Corporations Act of 1835 and the 'Permissive' Act and others of 1839, all the large towns of Great Britain and many of the counties established local Forces which were organized by one or more policemen or police officers from London, and functioned

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successfully on the basis of the principles which had been adopted and developed by the London establishment. In 1836 the striking and startling contrast between the peace and order which were being enjoyed in districts where police Forces were in existence and the disorder and increasing crime which were being suffered in districts which were still without protection enabled the Government to enforce the establishment of police Forces in all counties by a second Rural Police Act, which is commonly known as the 'Obligatory Act'. Thus, within thirty years of the creation of the Metropolitan Police by Peel in 1829, the London Model and its principles were firmly established in every part of the country, and such discrepancies and differences in organization as existed between the individual Forces were gradually and effectively adjusted, under the influence of a scheme whereby the Government undertook the payment, firstly, of a quarter and, later, of one-half of the basic expenses of each Force, subject to its being found, on inspection, to conform with a general standard of organization and efficiency which was defined and demanded by the Home Office.

In the boroughs the police Forces were under the control of the Watch Committees of the local Councils. In each of the counties this responsibility was given, at first, to the Justices of the Peace in Quarter Session, but a new arrangement was made, after the establishment of County Councils in 1888, whereby the control of each county police Force was placed in the hands of a Standing Joint Committee, consisting of a number of members of the County Council and an equal number of Justices. In 1839, the Justices in many of the counties welcomed the provisions of the Permissive Act, but the fact that they were not obliged to create police Forces enabled bigoted and reactionary Justices elsewhere to decline their privileges. They were forced, later, to learn the lesson of their folly by the unpleasant experience of finding their districts overrun by hordes of professional thieves and pilferers who were seeking refuge and escape from the police of the efficiently-guarded areas.

A clear and detailed view of the appalling prevalence of crime and disorder and the absence of public order and understanding of orderliness which were marked features of the social life of England in the eighteen-thirties in all but a few small areas can be obtained from the Report of the Royal Commission of 1836-9. The neglect of this document by historians is particularly unfortunate, because it provides astonishing and unanswerable proof of the fact that the public orderliness for which the people of Britain are justly famous is a modern growth, and clear evidence that it is, in very large measure, the consequence of the establishment of police Forces, and of the success of the principles on which these were founded, following the example of the London police experiment.

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The Report shows that the establishment of police Forces had already effected immense improvement in public orderliness and security of person and property in some of the boroughs and in a few small country areas. The fact of the almost total absence of protection elsewhere other than the slight degree of it which was afforded by voluntary private associations for purposes of mutual help in dealing with thieves is established by a mass of detailed evidence, which was recorded by witnesses from all parts of the country, and from all classes of society. Widespread, highly-organized systems of securing goods by theft and trading in them were a feature of all traffic routes ; roads, railways, and canals, throughout their length, along which was spread a vast network of receiving depots for stolen goods. Consignments of merchandize were left almost unguarded on their journey, from the moment of their dispatch from a warehouse to a customer, unless he made special provision for their protection. Carriers refused to be responsible for it. Rich people could afford to pay a subscription to one or another of over five hundred, so-called, Prosecution Societies, which existed in various parts of the country, and they could afford, also, the half-crown preliminary fee for engaging the activities of a parish constable, together with the risk of the unknown expenses in which he was certain to become involved when pursuing a thief. If the pursuit was fruitless, as it generally was, all the expenses had to be paid by the thief's victim. In the rare event of a capture and a committal, the compensation which the magistrate was empowered to grant was often only a fraction of the expenses which the victim had incurred in pursuing and capturing his tormentor. Much of the activity of the so-called Prosecution Societies and also of the Bow Street Runners was confined to compounding with thieves for partial return of stolen property, in return for agreement not to prosecute them. The vast mass of the people who were unable to face the cost of pursuing thieves were obliged to suffer helplessly the depredations of an army of these pests who ranged the country and preyed on its poorer citizens, in safe awareness of their helplessness and inability to retaliate.

The Report deploras, emphatically, the lack of protection for travellers on highways, although the highwaymen who had been a nuisance in the previous century had almost disappeared. Footpads are said to have been more common on the roads then they had ever been known to be in earlier times. Countrymen returning home from fairs and markets were obliged, everywhere, to make arrangements to travel armed, and in parties. Commercial travellers in country districts carried pistols, and were accompanied by dogs which were capable of attacking footpads. Cottage-dwellers were in constant fear of tramps who intimidated women and looted

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food and clothing with impunity, and often by force, when they knew that the male inhabitants were at work in the fields or absent elsewhere.

In the industrial areas, brutal acts of terrorism were exercised with appalling cruelty both by organizers of labour combines and by employers of labour who resisted them. The early history of Trades Unionism provides ample corroboration of the lack of protection of life and limb which was suffered by innumerable courageous leaders of the Labour movement, but barbarism begat barbarism in the early days of the conflict between Capital and Labour, which was accompanied by its worst manifestations of disorder in the early decades of the nineteenth century. The creation of police Forces, their quick control of disorder and the security for individuals which they provided put an end to barbarism and atrocities, but did not check or disturb the smooth progress and eventual triumph of the Labour and Trades Union movements. The success of these has been largely due to the police, who have enabled them to secure the public sympathy and understanding which would have been permanently checked and alienated by prolonged indulgence in methods of terrorism which labour leaders were at first forced to employ, in answer to the terrorism of their enemies.

Perhaps the most striking proof of the barbarism and public disorderliness which were prevalent on the eve of the establishment of police Forces throughout the country as recently as a hundred years ago is to be found in the section of the Report which discusses the subject of wrecking. The members of the Royal Commission record the facts that almost all the inhabitants of the coastal districts were eager wreck-plunderers, and that they had no thought of saving life, or consciousness of evil-doing in causing and plundering wrecks and, sometimes, in murdering shipwrecked sailors. There is detailed evidence of horrible atrocities which were perpetrated on these. Parish constables did not dare to interfere. When any of the new borough police were employed on salvage duties in connection with wrecks on the coasts, they were obliged to arm themselves against attacks by the local inhabitants. Among many other lurid instances of the existence of barbaric greed and superstition, the Report records a story of the cutting of the ropes of a life-saving apparatus after contact had been made with the sailors of a wrecked ship, who were consequently drowned.

What is almost incredible in the Report is the revelation that, throughout the country, the decision to make use of, and apply, the law, in the event of a crime having been committed in an area in which there were no London-model police, was usually in the hands of private individuals. Even in courts, on the rare occasions when a criminal was charged, magistrates and judges were helpless unless

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a private individual agreed to prosecute. Enforced prosecutions were said to have been a custom of the London magistrates, before prosecutions were undertaken by the New Police. In the provinces, an injured party or other complainant who was willing to prosecute also had the power of stopping the case whenever he wished to do so, and this occurred frequently when the accused, seeing that the case was going against him, made a private offer of money or restitution of stolen property. Cases are cited in the Report of such instances occurring in open court with the acquiescence of the judges. Before the establishment of modern police Forces there was no investigation of crime by such police as were in existence unless reward was offered and payment of expenses was guaranteed. These were generally impossible to estimate, and certain to be heavy.

Another interesting feature of the Report is the bulky evidence of the complete failure of local control of police, and of the helplessness of parish and privately-employed constables in face of conflicting local influences. It was the system and organization of the London-model Police Forces which enabled them to overcome the evils of these influences. It is clear from the Report that in all districts most of the criminals were known bad characters against whose activities the local populations were helpless. The statement is made: 'The Criminal Laws of England are sufficient for half-a-dozen planets.' All that was lacking was means of enforcing them, and to these means, in the form of London-model police, the public were inclined to be hostile before prompt and visible proof was afforded to them of the value of police achievements.

The three members of the Royal Commission of 1836-9 recommended the establishment of a National Force of Rural Police, the control of which was to be shared by the Commissioners of the Metropolitan Police and the local Justices of the Peace. The suggestion was opposed, with emphatic unanimity, by the Whig Government and public opinion. Borough police under local control were already in existence, and the system was applied, as a natural sequel, to the organization of police Forces in the counties, where they were placed entirely under the control of the Justices. It is extremely interesting to speculate on what might have been the consequences if the creation of police Forces in the towns and counties had preceded the Municipal Corporation Act of 1835, or if this had been delayed for a decade, and if, for one reason or another, the organization of the borough and the county police had been placed under central, national control, instead of local control, in accordance with the organization of the Metropolitan Police, which had involved the complete removal of local control from the London parishes, with extremely advantageous consequences.

It may be assumed that adherence to the policy of central control,

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which had met with marked and obvious success in London, would have led, inevitably, and without serious, or more than temporary, opposition, to the establishment of a National Police Force, administered by the Commissioners under the direct control and supervision of the Home Office, with the Home Secretary in the position of being directly responsible to Parliament for the police of the entire country. In view of the early discovery of the principles, and the revelation that the police are entirely dependent on public approval and goodwill for their power and success, it is unlikely that central, national organization would have been accompanied by any disadvantages to the nation. The discarding of the historic tradition of local control and responsibility would have been regrettable on sentimental grounds, but it was clearly advantageous and most necessary in London. It is particularly interesting to speculate on what might have been the eventual effect of national organization on the subsequent evolution of the police institution. Prompt public reaction to the success of the police in London and elsewhere, when this was recognized, was widespread demand that they should undertake, besides the prevention of crime and disorder and the detection and prosecution of crime, almost every duty which had reference in any way to the maintenance of order, including fire-fighting,¹ maintenance of sanitation, control of licences of every kind, inspection of dilapidated buildings, relief of destitution, life-saving, regulation and supervision of weights and measures, collection of taxes, removal of road obstacles, delivery of postal matter in country districts, and a multiplicity of other responsibilities which are now undertaken, often confusingly, by a multiplicity of other authorities. Some of these duties are obviously not police functions, and such of them as are clearly connected with the maintenance of public order, or protection and preservation of life, could not have been undertaken without radical reconstruction of the police organization.

The haphazard allocation of the duties of public service between the police and other officials is the consequence of the coincidence in the eighteen-thirties between the development of police organization and the enhancement of the powers of local authorities. This allocation has been allowed to become largely accidental, and to develop in accordance with the demands of temporary expediency and recognized custom. If the organization of the police throughout the country had been established on a national basis instead of on a system of local control in boroughs and counties, and if it had preceded the granting of wide powers of local government to Municipal Councils it is possible that there would now be in existence a central police department, in one form or another, which would be

¹ The fire brigades in some of the towns were still part of the local police service in 1942.

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a basic institution of central government organization, with responsibilities far surpassing those of the Home Office in their importance to the country, and requiring, for the guidance and control of the Police Department, the services of a minister of Cabinet rank. The functions of such a police establishment would by now be fully detailed and defined, and the valuable principles which were discovered by the police would be understood and appreciated by the public, and by foreigners, to an extent which has never become possible in the existing circumstances of diversified control of police administration. The principles would, long ago, have been allowed the scope for further development and evolution which has been denied to them by the circumstances of local control. If a centrally-organized national police establishment had been allowed to develop as the direct consequence of the promise of the immense possibilities which were clearly visible in the early discovery of police principles in the eighteen-thirties, there would have been in existence, in the nineteen-thirties, the framework of an easily-comprehended and experienced single authority which could have been trusted to foresee and to meet, as part of its natural functions, the menace of the disorder of aerial bombardment, without infliction on the nation of the confusion and unnecessary sufferings which have been the consequence of the ineptitude and muddling of a multiplicity of unco-ordinated authorities.

It may be argued that the existence of such an authority would have been achieved only at the price of an undue sacrifice of democratic rights and liberties. The use of the same argument postponed the existence of the police and maintained the people's sufferings from the 'liberty' of being without them for nearly a century after their establishment was first proposed. A little consideration of the historic and other facts of the British police conception will show that a centrally-controlled National Police Institution which functions on British Police Principles need not be feared, and that it could provide for Great Britain, and for any other community which decided to establish it, a new road of hope and promise leading to possible final fulfilment and perfecting of the highest envisaged ideals of democratic government. The history of the British Police which has been recorded in detail in earlier chapters can be summarized in a few simple sentences. The New Police of 1829 discovered that they were helpless in the face of public hostility. They realized that they were dependent for their powers and for their successful fulfilment of their tasks wholly and indisputably on their ability to secure and maintain public approval and respect. They acquired these necessities. Their next discovery was the fact that the response and co-operation which were the consequence of the public's respect and approval could be used for the purpose of

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preventing crime and disorder, and that the use of physical force could be almost entirely discarded. The immense force of which the police found themselves possessed was seen to be the public will. Lastly came the revelation that appreciation of the police and admiration of their methods and achievements endowed large numbers of the public with new understanding of the value of public order, and inspired them to make willing co-operative sacrifice, individually, in pursuit of new standards of public orderliness, and of new ideals of national unity and social regeneration, which are dimly seen to be the goal to which evolution of the police idea is leading. Let it be remembered that all the power of the police is dependent on their keeping the goodwill of the public, and that this will not be lost to the police merely by the fact of their being under central control, so long as the principles are maintained. This is the essential requirement of the efficiency of the police. Under central control they would be enabled to enhance the use and values of their principles to an extent that is denied to them by the circumstances of their existing organization.

In British Police Principles and the scope for further evolution which is inherent in them lie the answers to the claims of Fascism and of Communism, and to all critics of Democracy who despise its ideals and distrust its future. The British Police Idea offers the vision of a New Democracy, which is distant, but clearly accessible. The fact of police dependence on public approval and goodwill provides, at last, an answer to the centuries-old question : *Quis custodiat ipsos custodes ?* The system solves Democracy's problem of securing, by democratic methods, effective observance of democratically-made laws, and immensely enhances its power of perfecting its laws. In better and more effective use of the principles lies the means by which may be evolved a clear distinction in the community between liberty of the individual to seek and enjoy self-expression and self-development, and individual liberty to exploit the weakness, ignorance and misfortunes of others. Their police discoveries are the British peoples' most important and most valuable message to the world, and their greatest contribution to civilization. In the perfecting of the machinery of their police system lies the future of their greatness, and of the value to the world of their example and their leadership. Is it an extravagance to suggest that the perfection of the standard of public co-operation in law observance which has been achieved by the people of Britain in connection with tax collection can be achieved, in time, in connection with the observance of all other laws ?

The police may be said to fulfil their tasks effectively, but the restriction of scope which is imposed on them by the limitations of their organization is a serious check on their ability to prevent every

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kind of disorder which is injurious to the community. Prevention of crime and disorder is one of the basic and most important principles of British Police. Its use has enabled them to confer immense benefits on the community, but it is certainly true that neither the police nor the public can be said to have even begun to see or examine the possibilities which full utilization of the preventive principle can provide. The rapid success of its transition from theory to practical adaptation has blinded authority and the public to the need of giving it scope for further, natural evolution, and of applying it, not only to crude manifestations of incipient crime and disorder, but also to the causes and origins of these in the soil from which they spring. If it is the function and duty of the police to 'prevent' crime and disorder, it is surely obvious that all causes of crime and the making of criminals should be their concern. Parliament and the public should be able to look to them and to rely on them for expert diagnosis of the causes of crime, and for expert guidance in the provision of legal and charitable remedy when this is necessary to assist the process of removing them. Among the causes of crime and disorder are excessive poverty, destitution, unemployment, unhealthy housing conditions and over-crowding in slums, the drink trade and other forms of exploitation of the weak and ignorant, and, particularly, the warping influence on the moral and mental health-development of children of defective physical and moral environment.¹ The problem of disorder in the State is largely the problem of social evils, but the police machinery which has been so successfully established for the purpose of preventing disorder is unnecessarily and absurdly restricted in its scope for dealing with social evils by the near-sightedness of public vision.

The national task of eliminating social evils which are the causes of crime cannot be fulfilled without the aid of the principles of police. In order to provide full scope for using and developing the possibilities which are inherent in the preventive principle, the necessary preliminary step would be to embody it as the functioning basis of a new Ministry of Public Security. This ministry would be essential and complementary to a Ministry of Social Security. Under a Ministry of Public Security clearly-defined and systematic organization of the various provincial Forces could be effected with immensely beneficial advantages to the public in the sphere of police administration. The claims of local 'rights' which are put forward in support of resistance to administrative reform have no more justification as impediments to progress than those of vested interests

¹ On all these subjects the police have been regarded and used as informal consultative authorities since their first establishment in 1829. Their many practical, unofficial contributions to the cause of social reform include widespread work in befriending young criminals and the organization of boys' clubs in the poorest districts of many of the towns, notably at Norwich.

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have in other spheres, but it is a fact that local control of police has very little more effect in practice than is allowed to it by the non-statutory but admirably-administrated control of provincial Forces which is exercised by the Home Secretary. A Minister of Public Security with statutory power of control of police administration would be able to exert it more openly, vigorously, and advantageously, and he would be helped by the publicity which would accompany the exercise of his full responsibility to Parliament, instead of being hindered, as the Home Secretary is at present, by the anomalous nature of his immense powers, and by the effects of a widely-held but erroneous belief that local control of police Forces, as it exists at present, can be a check on abuse of power by the central government. The basic functions of the new ministry would be to extend and develop, fully, the practical application of the preventive and all other principles of police, in the maintenance of public order, and to preserve and enhance the national ideal of public orderliness. Police administration would be only one of its departmental functions. The ministry could be staffed and organized to act as a national, consultative authority for the guidance of Parliament and the public on all matters pertaining to or causing crime and disorder in the social and administrative structure of the community ; as a clearing-house of the accumulated results of all investigation and research which are undertaken in connection with social problems which are the seed of crime and disorder ; and as a medium for relieving other authorities from the necessity and expense of undertaking many of these duties, and from the confusion of over-lapping activities which so often thwarts their individual efforts. It would provide scope for much-needed amalgamation of many functions connected with the origins and existence of crime, such as scientific assessment of its causes and effects and the treatment and reform of criminals, old and young. It would pave the way for reform of the courts by separation of the functions of judging guilt and sentencing the guilty. The ministry would become, also, an official, national centre for assisting, advising and effecting voluntary co-ordination of the activities of privately-controlled charitable and social-reform associations which are concerned with causes of crime and disorder. Its costs could be largely met by transference to it of funds which are at present wastefully squandered by Government departments and by local authorities in over-lapping investigations of social evils. Its legal and other powers and authority would create no menace to public or individual liberty, because they need not exceed in any way those of existing ministries and institutions. It would provide a solution for many acute problems of the distribution of functions among various ministries and between them and Local Government authorities.

CHAPTER XXV

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TO all peoples in the world to-day, the British police system and its principles offer a basis for community reconstruction and development, and for the readjustment of past organization to the needs of the new future of mankind. If the British system had been administered, even in the recent past, by a Ministry of Public Security, instead of by some dozens of local authorities and as a department of the Home Office, it is certain that the peoples and governments of the world would be less disastrously ignorant of the values of the lessons which the principles of police and the success of their achievements have made available, particularly to the democracies. Every governing authority in the world is under the necessity of providing some form of physical force in order to secure effective observance of its laws, because the ideal of achieving complete law observance by willing co-operation on the part of the people of a community for whom, or by whom, laws are made has never been realized in the history of the world. The British people are showing that the secret of the success of democratic government lies in the possibility of transmuting and sublimating the crude physical force which laws are seen to require into the infinitely greater force which is inherent in the establishment of public respect for a particular, highly-evolved form of it. This sublimated form of force for securing willing observance of laws by the public makes the use of crude physical force increasingly unnecessary, and it makes visible and attainable, at last, the perfect solution of one of the fundamental problems of all democracies. This is the difficulty of finding democratic means of obliging minorities to observe the will of majorities, and of preventing the selfish and evilly-intentioned among the people from exploiting the ideal of individual liberty, and profiting by the tolerance and the privileges which are rightfully afforded to law-resisters whose motives are founded on idealistic principles.

The tolerance which is extended to law-resisters in all democracies in accordance with the ideal of individual liberty is at once their weakness and their strength. The community benefits immeasurably from the right of individuals to criticize authority and the laws fearlessly, and to oppose both, without destroying the structure of the State and of society which is maintained and supported by the will of the majority of the people. The slowly-cumulative educative effect on the public of seeing and hearing the results of permitted

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indulgence in this liberty is one of democracy's most valuable assets, but there is perpetual danger in the democratic state in the effect of the efforts of law-resisters in weakening and rendering inept the power and progressive initiative of authority. All democracies exhibit, permanently, the helplessness of governments to restrain the activities of groups and individuals which are seriously inimical to the welfare of the community. From this weakness arises, periodically, the mirage of the apparent, but unreal, advantages of dictatorship government, which has persistently deceived mankind throughout the centuries, and obliged it, repeatedly, to relearn in bitterness and suffering the lessons of its carelessness and forgetfulness.

The ability of dictatorship authority to secure by the use and threat of crude physical force unanimous and perfect observance of laws might ensure for this form of government acceptance and acquiescence in loss of individual liberty, by all nations, but for one fact. History proves that authority of any kind is totally unable to secure and maintain law-observance by the use of crude physical force, for any appreciable length of time, because its continued use becomes inevitably self-destructive of the form of authority which dares to use it. On the other hand, history shows with equal clarity that the difficulty of enforcing laws in democratic communities is a constant cause of confusion and suffering which stultifies authority, destroys the faith of their peoples in their ideals and the inspiration which they derive from their past achievements, and frustrates their material and spiritual progress. The recent spiritual perishing of many of them has been the consequence of the cynicism and defeatism which followed their loss of vision. Even in Britain, the outstanding lesson of the success and health of democracy which is afforded by national steadfastness has so far failed to inspire, fully, the enthusiastic faith in the democratic ideal which should be, and in time will be, its outcome.

The fact that Britain has found means of providing democratic machinery which can secure enduring law-observance more effectively than that of the temporarily-successful methods of the dictatorships is the most important and most outstanding fact of modern history, less on account of the advantages which have already accrued to the people of Britain than to the vision of the future of the democratic state which they offer to the world. By her police discovery, and by the strength and national unity which she has derived from it, Britain has saved democracy. Along the path of further development of her police discovery lies the future of her mission to the world.

The history of all democracies is an unhappy record of the ineptitude of authority in finding means of eliminating the menace

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to the community of three distinct varieties of law-resisters. These are the crude breakers of laws, such as thieves and other anti-social criminals ; the exploiters of crime and enslavers of the weak and the ignorant ; and the individuals, or groups of individuals, who seek, from selfish or, possibly, idealistic motives, to destroy the social and administrative structure of the community, as a preliminary to the substitution of another form of it which they presume will benefit either the community or themselves. It is a fundamental lesson of history that the existence of unenforced and unenforcible laws in a community will automatically produce individuals who will take advantage of their weakness, and that these individuals will combine their efforts and activities and unite in groups, or gangs, and quickly become a menace to the peace and liberty of their neighbours.

Against the three forms of law-resisters, the democracies of the European continent armed themselves with the *gendarmerie* system of police, which they evolved in earlier times from their standing armies. Its weakness has been its failure to win the respect of the peoples among whom it functioned. Its customary employment as an instrument of policy, and not of law, has too frequently involved democratic statesmen on the Continent in the process of enforcing law by the dictatorship method, and in weakening and destroying, as a consequence, the basis of the system of democratic government for the functioning of which they have been responsible. In the eighteenth and early nineteenth centuries, Britain and the United States were without even the elements of a *gendarmerie* system, and each endured, in increasing helplessness and with patient suffering which became intolerable, the existence of gangsters and other law-resisters who were the inevitable product of unenforcible laws. The sufferings of the people of the United States were mitigated by the influence of the binding, popular ideal of money-making, which united the community in sympathy with gangsters, and in tolerance of their ways, when their motive was seen to be only the accumulation of power and wealth, and not the enforcement of changes in the social structure of the State. In Britain, the hostility which was felt against all law-resisters was unimpaired by sympathy with their aims, but the intense barbarity of the legal punishment which was decreed for them in the eighteenth century was defeated by public inability to enforce it, and by public unwillingness to abandon democratic ideals even in the presence of widespread suffering and disorder which were the direct consequence of authority's helplessness. In the early decades of the nineteenth century, disorder threatened the democratic structure of the State so formidably, that the adoption of dictatorship government appeared to Cabinet Ministers and to a large section of the com-

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munity to be the lesser of two evils, and a deplorable but inescapable eventual expedient for saving the people from social and spiritual degradation, and the country from the disaster of anarchy. At this crisis in their history, the people of Britain saved themselves by their discovery of the preventive and other principles of police.

In each individual nation, a system of controlling gangsterdom by one or another effective, or partially-effective, form of police is a recognized necessity of community existence. The British police system has been outstandingly successful in this connection, and it has made visible the means for the control of all forms of minority-inspired disorder in the State, without abandonment of the democratic ideal, but it cannot frustrate a demand for change in structural community organization if this is inspired by majority will. The saving of democratic community existence from the menace of national disorder which is directly the product of gangsterdom need no longer be an acute problem of the peoples of democratic states who have the will to copy the British example. The twentieth century has produced the infinitely more serious problem of saving communities from the menace of international disorder which is the product of state-gangsterdom.

It is not an over-simplification of the detail of the problem of war to say that its cause and that of the world's present sufferings is the strange and most deplorable failure of mankind to recognize the facts that international war-disorder is only the internal disorder of individual states presenting itself in infinitely more terrible guise ; that the primary cause of war in the twentieth century is the existence of unenforced and unenforcible international laws and their inevitable production of state-gangster groups; and that the same police remedy which has been found to be effective in controlling and eliminating gangster disorder in individual state-communities is available, and can be used successfully, for the control of state-gangsters and the war-disorder which they create in the international sphere. The parallel between the histories of national and international gangsterdom is remarkable in its detail, and this is a fact which is not surprising when it is remembered that the community of the nations is, fundamentally, an enlarged state-community which is being forced into existence by the process of scientific and mechanical invention, to the accompaniment of a rapid and welcome, but foolishly-resisted, natural breaking-down of frontiers of every kind

This community of the nations like all other human communities must be provided with authority, with rules or laws, and with force of one kind or another for securing observance of its laws. No human community has ever succeeded in achieving sustained existence without these instruments. Attempts have been made to provide the community of the nations with authority and laws in the form

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of the League of Nations and its Covenant, International Law, and international treaties and agreements of many kinds, but it has never been provided with the third essential, which is force for securing and ensuring law observance. Like all other communities in history which have failed to provide or use force effectively, the international community has been obliged to suffer the disruption of order, and to face the menace of disintegration.

The process of providing the international community with authority and laws presents no difficulty. The problem of their secure establishment and effective functioning in the maintenance of order lies in finding means of supplying them with the force which is essential to them. Three forms of it are available : moral force, military force, and police force. It is impossible to rely on moral force alone. Military force can temporarily repress disorder and breach of law ; it cannot prevent them and their recurrence. All individual state communities have learned this lesson, and have adopted police force as the form of it which is most suitable for the support of Law. The existence of police Forces, including those based on the *gendarmerie* system, is the direct outcome, in all countries, of the failure of military force as an instrument for the maintenance of order. When the League of Nations was established statesmen and people throughout the world were guilty of the profound error of imagining, in spite of the consistently-repeated lesson of history, that Law could function without being provided with force. The folly of this assumption has been learned at last, at the price of untold suffering, but statesmen and people throughout the world are now showing themselves guilty of profound error in imagining, again in defiance of history, that military force can suffice and be effective as an instrument of Law.

In England, the lesson of the inability of military force to secure observance of Law was learnt through the failure of the Guards and Dragoons to effect more than temporary repression of mob disorder. Against crime, the restriction of action to which the military arm is subjected by its organization makes it useless either for purposes of repression or prevention. From the visible consequences of the failure of the military arm as Law's instrument, which were the people's sufferings, England learned her need of police, and not the least remarkable result of her creation of them and of the evolution of their principles was the subsequent discovery that, after all, military force need not be a failure in maintaining order if it is confined in its use to support of police and police principles. In such circumstances troops no longer exercise crude military force. They subordinate military principles to police principles. They become police.

This discovery of the effective use of military force which can be

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made by confining it to support of police has been applied in Britain and throughout the Empire consistently, with incalculable beneficial consequences. It provides, unquestionably, a solution of the problem of providing an international authority with force which will effect enduring observance of its laws. It must be provided with a Force of unarmed Preventive Police, organized on the British model, through which the military, naval, and air-forces which are allotted to it or provided by the nations which support it will be able to function, if required, promptly and automatically, as instruments of Law and not of policy. It will be necessary, also, for the international authority to provide the police Force with clearly-defined laws, because laws are as necessary to police as police are to laws. Neither can be effective without the other. Necessary, also, will be the existence of tribunals before which the police will be able to summon governments, in the form of accredited representatives, in whose territories the police find breaches of law, or resistance of their efforts to investigate them. If governments are given legal status in the international sphere in accordance with that of corporations under national laws elsewhere there will be no difficulty in enforcing their appearance before the courts when necessary, and in making them responsible for the actions of their nationals who are found guilty of breach of laws. For the purpose of ensuring lasting international order, these laws need be concerned with little else besides regulation of the production of armaments.

The apparent simplicity of the proposal to seek the solution of the problem of war in a small Force of international, preventive civil police is a weak foundation on which to base criticism of its possible value. No nation can produce or accumulate arms in secret. If the leading allied Powers agree to co-operate in efforts to establish lasting peace, it will be a simple matter for them, or for any new, single international authority which they may create, to produce a brief code of laws regulating the production and maintenance of arms by the member states. It will also be a simple matter for the leading allied Powers to insist, by the threat of withholding economic privileges and assistance, on this code being accepted and adopted by all nations. The value of the preventive civil police plan lies in its being a means of ensuring effective observance of whatever disarmament regulations may be inaugurated, because no nation will ever be able to begin to infringe them without finding itself promptly in the position of openly defying the international authority without having accumulated sufficient strength of arms to justify the taking of such a risk. In this way the strength of the international authority will be maintained, subject to the Great Powers which are its creators and guarantors maintaining their faith in the need of world peace, and their belief in the principle that it is 'one and indivisible'.

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It is essential to realize that the duties of the Disarmament Police will be fundamentally different from those of any other police Force in the world. The principles on which the Force will function will be found among those of the British police, and it will have a similar framework of organization. The men who compose the Force will be few in number, and the lower ranks, or constables, will be, in character and education, of a type which is usually found, in all countries, in the higher-grade posts of the Civil Service. Constables should be recruited, in the first instance, from all countries capable of producing men of the standard of character and education which will be required, and they should be nominated for the Disarmament Police by their respective governments. Thereafter, they will undergo a period of probationary training, and be wholly at the disposal of the Commissioner of Police, who will be appointed by the international authority ; and they will be wholly subject to his authority with regard to location of station, duties, discipline and dismissal. For the policing of most of the smaller countries it will be possible to group several of these as the area of a single constable. In each of the largest countries less than a dozen men should be a sufficient number to conduct efficiently the work of supervision, but a closer concentration of effectives can be quickly arranged if it should become necessary. All constables will be directly under supervising Inspectors, and be eligible for promotion. Under the Disarmament regulations constables will have power to investigate certain specified activities in their areas ; to enter factories, docks, and warehouses ; and to require the production of clerical and other records and to inspect them. Constables will wear uniform, and their activities must be wholly free from any taint or suspicion of *espionage*. Commercial and industrial statistics and reports and the vigilance of neighbouring states will probably supply Police Headquarters with all the intelligence that may be required. A detective department may be included in the organization if it is found to be necessary, but this must function independently of the routine duties of constables.

The power of the Disarmament Police constables will lie largely in the fact that refusal of his requests will be a codified offence which will entail prompt summons of the government of the national who is concerned in it before a Disarmament Court, and the prosecution of that government by the Commissioner of Police or a subordinate acting for him. The specified penalties for breach of a Disarmament Law, either a fine, or confiscation of material, or both, will be decreed by the court and enforced by the police. If these find themselves resisted in carrying out a court order, and are unable to achieve a police objective unaided, they will appeal to the international authority for military, naval or air support. Whether the offence

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consists of simple refusal of a request made by a Disarmament Police constable to enter a warehouse, or amounts to contempt of Court, or defiance of attempted police seizure of goods ordered by a court to be confiscated, it is unlikely that any government will dare to commit it or condone it without having definite intention of defying the international authority, and without having the means of waging war against it. If called upon for aid by the police, the armed forces of the international authority will act through police, in support of police, and as police, exercising the minimum degree of force necessary for the achievement of what will be wholly a police, and not a military, objective. The fact of the existence of the armed forces should be sufficient by itself to exclude the need of their use, and the individual, unarmed constable of the Disarmament Police, in representing the will of the majority of the nations, will have the same power accruing to him from his presence and prestige as is enjoyed by his counterpart in the streets of London, subject, always, to the administration of the international service and the tact and behaviour of its members being such as will secure for them the approval and respect of the public.

It is possible to visualize the creation of a Force of international police that would fulfil infinitely more extensive and varied duties than the single one of enforcing observance of a code of Disarmament Laws. Uses may be suggested for an international Force, such as those of the conduct of plebiscites, the organization of agreed transferences of population, or for assistance on the occurrence of national disasters such as earthquakes, floods or famines. The difficulty of calculating and maintaining in convenient centres what is likely to be the necessary strength of such an organization can be avoided if, firstly, the nations can be induced to adopt, as the basis of their respective national police Forces, the simple principles and organization of the British police ; and, secondly, if national governments can be induced to agree to put at the disposal of the international authority, on demand, contingents of men from their national Forces for temporary employment on works of relief or assistance which involves no threat or risk of war. What is essential to all plans for successful police organization in the world, on a national or international scale, is to convince the people of the world, and particularly the people of Europe, that a policeman need not necessarily be a symbol of tyranny and an inspirer of fear, and that he can be, and should be, for the sake of the effective fulfilment of his duties, a friend and servant of the people.

In the minds of many people who view the possibilities of future world organization there are two outstanding fallacies. The first is the belief that military force can be permanently successful as an instrument for compelling law observance. All history proves the

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error of this assumption, and it cannot be rectified by describing the activities of armies, navies, and air-forces as 'policing' the world, or any part of it. The second fallacy lies in the widely-held belief that international peace and security can be found by reducing, by Federal or other forms of Union, the number of authorities which hold sovereign rights in the international sphere; or by grouping these in four spheres under the dominance or tutelage of four leading Powers. Such plans ignore the fact that there will still be need, if fear is to be banished and security is to be achieved, of providing laws for the governance of the relationship of the new authorities with one another, and of providing those laws with force which is essential for securing their observance by each of the authorities concerned. To reduce the effective holders of sovereign-right authority to forty, or fourteen, or four, in number will not effect in the slightest degree the problem of world insecurity. A supra-Group authority will be as necessary for the four or more new authorities as is a supra-national authority for the existing sovereign-state authorities, if insecurity and the wars which are its outcome are to be ended and not perpetuated.

A glance at the history of Europe during the past few centuries should provide a lesson. In Feudal times, the local barons made their own laws and enforced them, and provided, for the small unit-areas under their control, internal security which was enjoyed by their people in the intervals between wars with their neighbours. Under pressure of the progress of Science, in the form, particularly, of the invention of gun-powder, the Feudal system disintegrated and gave place to the kingdoms and empires of Europe which have become the sovereign-right nations of to-day. The national authorities by which these were governed made laws and enforced them, by police of a kind, with the result that, in areas which were much more extensive than were those under the barons' control, the peoples again enjoyed internal security, in the intervals between wars with neighbouring states. Throughout Western Europe towns ceased to maintain armaments and to wage war against each other, as had been their custom until then, for the simple reasons that they were able to discuss and settle their disputes with one another in an atmosphere of perfect sense of security which was provided for them by the force-provided laws of the national authority above them. This very quickly made the maintenance or use of arms by any town or county unit in its area a ludicrous absurdity, but the nation-area units found themselves in exactly the same state of insecurity and enslavement to wars with their neighbours as the smaller area-units of the Feudal barons had been at an earlier period. There was no authority above the nation-states capable of making

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laws governing their relationship with one another, and of providing these laws with police Force of any kind by which their observance could be secured, with the result that the nation-area units have never been able to enjoy, as units, the sense of security and absence of the need of arms which have been so successfully provided for the town and county area-units in each.

Does anyone imagine that fourteen or four or any other number of federalized or otherwise amalgamated groups of nations will find themselves able to enjoy any more prolonged sense of security than will be afforded to them in intervals between wars with other Groups, unless a supra-Group authority is provided for them, having laws governing the relationship of them all with one another, and force capable of inducing each of the Groups to keep these laws? Does anyone still hold, after the experiences of the past two decades, the illusion that lasting peace can be secured by conference and discussion and without compulsion? Are more wars needed to teach mankind the lesson that police force is as necessary in the community of nations as it is in individual national communities? The wars between the individual nation unit-areas are infinitely more terrible than were those between the Feudal unit-areas, and the nature of the wars which will be waged between the envisaged Group-unit areas can be imagined. Will they disarm? If not, the existence of arms will compel, also, unavoidable competition in their accumulation, to the accompaniment of unending suspicion, insecurity, and fear; perpetuation of the intolerable burden which mankind derives from these; and endless repetition of the progressive evil cycle of wars becoming possible, probable, and again inevitable.

There is a remarkable similarity in the nature of the many problems which in modern times beset local and national government authorities. A study of the local and national incidence of these problems reveals the origin of most of them in the fact that pressure of the progress of Science is demanding, with ever-increasing insistence, the widening of individual unit-areas of administration of every kind. This pressure does not involve the necessity of eliminating existing government units, local or national, but it demands constant readjustment of mutual arrangements for the sharing of services and other activities which it is no longer in the power of individual authorities to perform alone with efficiency, and without economic confusion. Local government authorities can be seen to handle the problems of disputes and differences and of enforced closer relationships with others of their kind, within their national areas, with remarkable success which should be a shining example to national governments, but these fail in adjusting their needs with those of their neighbours because they are handicapped perpetually by the fear and suspicion of one another which derives from their

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possession of arms and power of using them. There is no authority above them to provide for them the security, and freedom from the need of armaments, which each is able to provide for the local authorities in its area in times of peace. It is noticeable that among the local government authorities in many national areas there are towns which have maintained unimpaired their individuality, their civic dignity and the civic pride of their inhabitants since these originated centuries ago, in pre-Feudal times. They have ceased to wage war with one another. What the pressure of scientific progress has done for them it is now doing for the nations in offering to them the enjoyment of security and lasting peace in a wider area which, if we seek to help and cease to hinder Science, and use the simple lessons of our police discoveries, can be made to embrace the entire surface of the world.

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